

**EIGHTY-FIFTH GENERAL ASSEMBLY  
2013 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

MAY 1, 2013

**HOUSE FILE 640**

**H-1376**

1 Amend House File 640 as follows:

2 1. Page 1, line 29, by striking <for use in an  
3 engine>

4 2. By striking page 1, line 31, through page 2,  
5 line 6.

6 3. Page 3, line 5, after <fuel> by inserting <that  
7 is>

8 4. By renumbering, redesignating, and correcting  
9 internal references as necessary.

**By** KLEIN of Washington

**H-1376** FILED APRIL 30, 2013

HOUSE FILE 640

H-1379

1 Amend House File 640 as follows:

2 1. Page 2, before line 7 by inserting:

3 <Sec. \_\_\_\_\_. Section 323.1, Code 2013, is amended by  
4 adding the following new subsections:

5 NEW SUBSECTION. 01. "Blender pump" means a motor  
6 fuel blender pump as defined in section 214.1 that  
7 dispenses motor fuel or special fuel in a manner  
8 required pursuant to chapters 214 and 214A.

9 NEW SUBSECTION. 7A. "Motor fuel pump" means the  
10 same as defined in section 214.1 that dispenses motor  
11 fuel or special fuel in a manner that complies with  
12 standards set forth in chapters 214 and 214A.

13 NEW SUBSECTION. 7B. "Renewable fuel" means the  
14 same as defined in section 214A.1 that complies with  
15 standards set forth in section 214A.2.

16 NEW SUBSECTION. 11. "Storage tank" means a  
17 motor fuel storage tank as defined in section 214.1,  
18 including an underground storage tank subject to  
19 regulation under chapter 455G.

20 Sec. \_\_\_\_\_. NEW SECTION. 323.4A Use of renewable  
21 fuel.

22 1. A dealer franchise or other document executed by  
23 a dealer and franchiser on and after the effective date  
24 of this Act shall not contain a provision restricting  
25 the dealer, including any affiliate of the dealer, from  
26 doing any of the following:

27 a. Installing, converting, or operating a storage  
28 tank, a motor fuel pump, or a blender pump located on  
29 the dealer's retail premises for use in storing or  
30 dispensing renewable fuel. However, this paragraph  
31 does not apply to a dealer franchise or other document  
32 executed by a dealer and franchiser that restricts the  
33 installation of a storage tank on the dealer's retail  
34 premises that is leased from the franchiser.

35 b. Using a motor fuel pump to dispense ethanol  
36 blended gasoline, including gasoline with a specified  
37 blend or a range of blends under chapter 214A, if  
38 the motor fuel pump meets applicable requirements of  
39 chapter 214 and is approved by the state fire marshal  
40 for dispensing the specified blend or range of blends,  
41 including as provided in section 455G.31.

42 c. Marketing the sale of any renewable fuel,  
43 including but not limited to advertising its  
44 availability or price on a sign, on a motor fuel pump,  
45 on a blender pump, or by media.

46 d. Selling or dispensing renewable fuel in any  
47 specified area located on the dealer's retail premises,  
48 including but not limited to any area in which a name  
49 or logo of a franchiser or any other entity appears.

50 e. Purchasing motor fuel or special fuel that is a

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1 renewable fuel from a source other than the franchiser  
2 if the franchiser does not offer its own motor fuel or  
3 special fuel that is a renewable fuel for sale by the  
4 dealer.

5 f. Using a payment form for the sale of a renewable  
6 fuel by the retail dealer that is the same type as the  
7 payment form used for the sale of another type of motor  
8 fuel or special fuel by the dealer on the dealer's  
9 retail premises.

10 2. This section does not apply to any activity  
11 that constitutes mislabeling, misbranding, willful  
12 adulteration, or other trademark violation by the  
13 dealer.>

14 2. By renumbering, redesignating, and correcting  
15 internal references as necessary.

By MUHLBAUER of Crawford  
KELLEY of Jasper

**Senate Amendment to  
HOUSE FILE 638**

**H-1382**

1 Amend House File 638, as passed by the House, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

<DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

7 Section 1. There is appropriated from the rebuild  
8 Iowa infrastructure fund to the following departments  
9 and agencies for the following fiscal years, the  
10 following amounts, or so much thereof as is necessary,  
11 to be used for the purposes designated:

12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

13 a. For projects related to major repairs and major  
14 maintenance for state buildings and facilities:

15 FY 2013-2014:

16 ..... \$ 14,000,000

17 Of the amount appropriated in this lettered  
18 paragraph, \$250,000 shall be allocated for the  
19 disposition and relocation of structures located at 707  
20 east locust and 709 east locust, Des Moines, Iowa.

21 Of the amount appropriated in this lettered  
22 paragraph, \$1,800,000 shall be allocated for relocation  
23 costs for moving employees out of the Wallace building  
24 including moving costs and lease adjustments. As a  
25 condition of this allocation, all employees currently  
26 located in the Wallace building shall be relocated to a  
27 new office location by December 31, 2013, pursuant to  
28 the department's competitive bidding process for office  
29 space.

30 Moneys appropriated in this lettered paragraph shall  
31 not be used for the state historical building.

32 b. For routine and preventative maintenance,  
33 notwithstanding section 8.57, subsection 5, paragraph  
34 "c":

35 FY 2013-2014:

36 ..... \$ 5,000,000

37 Moneys appropriated in this lettered paragraph shall  
38 be used for capitol complex grounds except for projects  
39 at the Wallace and the state historical buildings.

40 c. For costs associated with the planning and  
41 design of the Wallace office building, including roof  
42 repair:

43 FY 2013-2014:

44 ..... \$ 500,000

45 FY 2014-2015:

46 ..... \$ 3,900,000

47 Of the amount appropriated in this lettered  
48 paragraph for FY 2013-2014, \$500,000 shall be allocated  
49 for relocation costs for moving employees out of the  
50 Wallace building including moving costs and lease

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1 adjustments. As a condition of this allocation, all  
2 employees currently located in the Wallace building  
3 shall be relocated to a new office location by December  
4 31, 2013, pursuant to the department's competitive  
5 bidding process for office space.

6 d. For costs associated with capitol interior and  
7 exterior restoration, including the installation of a  
8 lightning protection system:

9 FY 2013-2014:

10 ..... \$ 330,000

11 2. DEPARTMENT OF CULTURAL AFFAIRS

12 For deposit into the Iowa great places program  
13 fund created in section 303.3D for Iowa great places  
14 program projects that meet the definition of "vertical  
15 infrastructure" in section 8.57, subsection 5,  
16 paragraph "c":

17 FY 2013-2014:

18 ..... \$ 1,000,000

19 3. ECONOMIC DEVELOPMENT AUTHORITY

20 a. For equal distribution to regional sports  
21 authority districts certified by the economic  
22 development authority pursuant to section 15E.321,  
23 notwithstanding section 8.57, subsection 5, paragraph  
24 "c":

25 FY 2013-2014:

26 ..... \$ 1,000,000

27 b. For deposit into the river enhancement community  
28 attraction and tourism fund created in section 15F.205:

29 FY 2013-2014:

30 ..... \$ 2,000,000

31 c. For renovations, expansions, and enhancements  
32 to facilities for an adult day program at a year-round  
33 camp for persons with disabilities in a central Iowa  
34 city with a population between one hundred ninety-five  
35 thousand and two hundred five thousand in the latest  
36 preceding certified federal census:

37 FY 2013-2014:

38 ..... \$ 250,000

39 d. To Iowa state university of science and  
40 technology for the modernization and renovation of  
41 animal care facilities at the blank park zoo including  
42 the expansion of the surgical facility and the  
43 renovation of dormitory space:

44 FY 2013-2014:

45 ..... \$ 1,000,000

46 e. For administration and support of the world  
47 food prize including the Borlaug/Ruan scholar program,  
48 notwithstanding section 8.57, subsection 6, paragraph  
49 "c":

50 FY 2013-2014:

1 ..... \$ 200,000  
2 f. For costs associated with the hosting of a  
3 national junior Summer Olympics by a nonprofit sports  
4 organization, notwithstanding section 8.57, subsection  
5 6, paragraph "c":  
6 FY 2013-2014:  
7 ..... \$ 250,000  
8 4. DEPARTMENT OF EDUCATION  
9 a. For accelerated career education program capital  
10 projects at community colleges that are authorized  
11 under chapter 260G and that meet the definition of  
12 the term "vertical infrastructure" in section 8.57,  
13 subsection 5, paragraph "c":  
14 FY 2013-2014:  
15 ..... \$ 6,000,000  
16 b. For major renovation and major repair needs,  
17 including health, life, and fire safety needs and for  
18 compliance with the federal Americans with Disabilities  
19 Act for buildings and facilities under the purview of  
20 the community colleges:  
21 FY 2013-2014:  
22 ..... \$ 1,000,000  
23 5. DEPARTMENT OF HUMAN SERVICES  
24 a. For a grant to a nonprofit child welfare,  
25 juvenile justice, and behavioral health agency for  
26 the construction of a psychiatric medical institution  
27 for children in a city with a population between  
28 twenty-eight thousand and twenty-nine thousand in the  
29 latest preceding certified federal census:  
30 FY 2013-2014:  
31 ..... \$ 500,000  
32 FY 2014-2015:  
33 ..... \$ 500,000  
34 b. For a grant to a nonprofit agency that provides  
35 innovative solutions to children and adults with autism  
36 in a city with a population between fourteen thousand  
37 five hundred and fifteen thousand five hundred in the  
38 latest preceding certified federal census for costs  
39 associated with improvements to facilities:  
40 FY 2013-2014:  
41 ..... \$ 400,000  
42 FY 2014-2015:  
43 ..... \$ 400,000  
44 c. For the renovation and construction of certain  
45 nursing facilities, consistent with the provisions of  
46 chapter 249K:  
47 FY 2013-2014:  
48 ..... \$ 500,000  
49 d. For a publicly owned acute care teaching  
50 hospital located in a county with a population between

1 four hundred thousand and four hundred fifty thousand  
2 in the latest preceding certified federal census for  
3 the construction and expansion of inpatient mental  
4 health facilities and for the construction of an  
5 outpatient clinic building:  
6     FY 2013-2014:  
7 ..... \$ 3,000,000  
8     FY 2014-2015:  
9 ..... \$ 3,000,000  
10    6. DEPARTMENT OF PUBLIC DEFENSE  
11    a. For major maintenance projects at national guard  
12 armories and facilities:  
13     FY 2013-2014:  
14 ..... \$ 2,000,000  
15    b. For construction improvement projects at  
16 statewide readiness centers:  
17     FY 2013-2014:  
18 ..... \$ 2,000,000  
19    c. For construction upgrades at Camp Dodge:  
20     FY 2013-2014:  
21 ..... \$ 500,000  
22    7. DEPARTMENT OF NATURAL RESOURCES  
23    a. For implementation of lake projects that  
24 have established watershed improvement initiatives  
25 and community support in accordance with the  
26 department's annual lake restoration plan and report,  
27 notwithstanding section 8.57, subsection 5, paragraph  
28 "c":  
29     FY 2013-2014:  
30 ..... \$ 8,600,000  
31    b. For the administration of a water trails and  
32 low head dam public hazard statewide plan, including  
33 salaries, support, maintenance, and miscellaneous  
34 purposes, notwithstanding section 8.57, subsection 5,  
35 paragraph "c":  
36     FY 2013-2014:  
37 ..... \$ 2,000,000  
38    8. BOARD OF REGENTS  
39    a. For allocation by the state board of regents to  
40 the state university of Iowa, the Iowa state university  
41 of science and technology, and the university of  
42 northern Iowa to reimburse the institutions for  
43 deficiencies in the operating funds resulting from the  
44 pledging of tuition, student fees and charges, and  
45 institutional income to finance the cost of providing  
46 academic and administrative buildings and facilities  
47 and utility services at the institutions:  
48     FY 2013-2014:  
49 ..... \$ 27,867,775  
50    b. For the repair or replacement of failed or

1 failing building components, for immediate fire safety  
2 needs, and for compliance with the federal Americans  
3 with Disabilities Act, at regents institutions:  
4     FY 2013-2014:  
5 ..... \$ 2,000,000  
6     c. For infrastructure improvements to construct a  
7 multipurpose training facility at the state hygienic  
8 laboratory at the state university of Iowa:  
9     FY 2013-2014:  
10 ..... \$ 1,000,000  
11     9. STATE FAIR AUTHORITY  
12 For infrastructure costs associated with the  
13 construction of a plaza on the Iowa state fairgrounds:  
14     FY 2013-2014:  
15 ..... \$ 250,000  
16     FY 2014-2015:  
17 ..... \$ 750,000  
18     10. DEPARTMENT OF TRANSPORTATION  
19     a. For acquiring, constructing, and improving  
20 recreational trails within the state:  
21     FY 2013-2014:  
22 ..... \$ 3,000,000  
23     b. For deposit into the public transit  
24 infrastructure grant fund created in section 324A.6A,  
25 for projects that meet the definition of "vertical  
26 infrastructure" in section 8.57, subsection 5,  
27 paragraph "c":  
28     FY 2013-2014:  
29 ..... \$ 2,000,000  
30     c. For infrastructure improvements at the  
31 commercial service airports within the state:  
32     FY 2013-2014:  
33 ..... \$ 1,500,000  
34     d. For infrastructure improvements at general  
35 aviation airports within the state:  
36     FY 2013-2014:  
37 ..... \$ 750,000  
38     e. For deposit into the railroad revolving loan and  
39 grant fund created in section 327H.20A, notwithstanding  
40 section 8.57, subsection 5, paragraph "c":  
41     FY 2013-2014:  
42 ..... \$ 1,000,000  
43     f. For continuation of the job access and reverse  
44 commute grant program, notwithstanding section 8.57,  
45 subsection 5, paragraph "c":  
46     FY 2013-2014:  
47 ..... \$ 350,000  
48 Moneys appropriated in this section shall be  
49 distributed by the department in the form of grants to  
50 cities, nonprofit organizations, or operators of public



1 transportation services for the fiscal year beginning  
2 July 1, 2013, and ending June 30, 2014, to continue  
3 an existing access to jobs project or reverse commute  
4 project serving a city with a population of fifty  
5 thousand or more and the surrounding metropolitan area.  
6 A grant awarded under this section shall not exceed 90  
7 percent of the cost of a program's operation for the  
8 fiscal year beginning July 1, 2013, and ending June  
9 30, 2014. In awarding grants under this section, the  
10 department shall use criteria established under former  
11 49 U.S.C. { 5316 establishing the federal job access  
12 and reverse commute grant program.

13 11. TREASURER OF STATE

14 For distribution in accordance with chapter 174 to  
15 qualified fairs which belong to the association of Iowa  
16 fairs for county fair infrastructure improvements:

17 FY 2013-2014:

18 ..... \$ 1,060,000

19 12. DEPARTMENT OF VETERANS AFFAIRS

20 a. For remodeling and upgrades to office space at  
21 Camp Dodge:

22 FY 2013-2014:

23 ..... \$ 137,940

24 b. For a grant to an American legion post located  
25 in a city with a population between one thousand  
26 ten and one thousand twenty in the latest preceding  
27 certified federal census for the construction of a  
28 veteran's reception center and community center:

29 FY 2013-2014:

30 ..... \$ 604,000

31 c. For construction costs associated with the  
32 expansion of an equipment and vehicle storage building  
33 at the Iowa veterans cemetery:

34 FY 2013-2014:

35 ..... \$ 250,000

36 Sec. 2. REVERSION. For purposes of section 8.33,  
37 unless specifically provided otherwise, unencumbered  
38 or unobligated moneys made from an appropriation in  
39 this division of this Act shall not revert but shall  
40 remain available for expenditure for the purposes  
41 designated until the close of the fiscal year that ends  
42 three years after the end of the fiscal year for which  
43 the appropriation is made. However, if the project  
44 or projects for which such appropriation was made are  
45 completed in an earlier fiscal year, unencumbered or  
46 unobligated moneys shall revert at the close of that  
47 same fiscal year.

48

DIVISION II

49

TECHNOLOGY REINVESTMENT FUND

50 Sec. 3. There is appropriated from the technology

1 reinvestment fund created in section 8.57C to the  
2 following departments and agencies for the following  
3 fiscal years, the following amounts, or so much  
4 thereof as is necessary, to be used for the purposes  
5 designated:

6 1. DEPARTMENT OF EDUCATION

7 a. For maintenance and lease costs associated with  
8 connections for part III of the Iowa communications  
9 network:

10 FY 2013-2014:

11 ..... \$ 2,727,000

12 b. For the continued development and implementation  
13 of an education data warehouse to be utilized by  
14 teachers, parents, school district administrators, area  
15 education agency staff, department of education staff,  
16 and policymakers:

17 FY 2013-2014:

18 ..... \$ 600,000

19 The department may use a portion of the moneys  
20 appropriated in this lettered paragraph for an  
21 e-transcript data system capable of tracking students  
22 throughout their education via interconnectivity with  
23 multiple schools.

24 c. To the public broadcasting division for the  
25 replacement of equipment and for tower and facility  
26 maintenance:

27 FY 2013-2014:

28 ..... \$ 960,000

29 d. For allocation to the boards of directors of  
30 public school districts for voluntary short-term  
31 testing for radon gas of up to 10 percent of attendance  
32 centers in the state, with the goal of completing  
33 radon testing in at least one attendance center in  
34 each county in Iowa, notwithstanding section 8.57C,  
35 subsection 2:

36 FY 2013-2014:

37 ..... \$ 100,000

38 For purposes of this lettered paragraph, "short-term  
39 testing" means a testing procedure approved by the  
40 department of public health in which a testing device  
41 remains in an area for not less than two days and not  
42 more than ninety days to determine the amount of radon  
43 in the air that is acceptable for human inhalation.

44 Radon testing pursuant to this lettered paragraph  
45 shall be conducted by a person certified to conduct  
46 such testing pursuant to section 136B.1.

47 The department shall prepare a comprehensive report  
48 of the results of the radon testing conducted at each  
49 attendance center and shall submit the report to the  
50 general assembly no later than January 1, 2014.

1 e. For hardware and software equipment for the  
2 state library, including laptop and tablet computers,  
3 audio and video equipment, and the purchase of online  
4 resources:

5 FY 2013-2014:  
6 ..... \$ 250,000

7 2. DEPARTMENT OF HUMAN RIGHTS

8 For the cost of equipment and computer software  
9 for the implementation of Iowa's criminal justice  
10 information system:

11 FY 2013-2014:  
12 ..... \$ 1,454,734

13 3. DEPARTMENT OF HUMAN SERVICES

14 a. For a grant to a nonprofit agency that provides  
15 innovative solutions to children and adults with autism  
16 in a city with a population between fourteen thousand  
17 five hundred and fifteen thousand five hundred in  
18 the latest preceding certified federal census, for  
19 the cost associated with internet services and video  
20 communications systems for clinics:

21 FY 2013-2014:  
22 ..... \$ 154,972

23 b. For grants for nursing facilities categorized  
24 as rural on Iowa Medicaid enterprise cost reports  
25 to provide electronic health record implementation  
26 services to rural nursing facilities:

27 FY 2013-2014:  
28 ..... \$ 250,000

29 4. IOWA TELECOMMUNICATIONS AND TECHNOLOGY  
30 COMMISSION

31 For internet protocol video technology equipment for  
32 the Iowa communications network:

33 FY 2013-2014:  
34 ..... \$ 1,200,000

35 The commission may continue to enter into contracts  
36 pursuant to section 8D.13 for internet protocol video  
37 technology equipment and for operations and maintenance  
38 costs of the network.

39 In addition to moneys appropriated in this  
40 subsection, the commission may use a financing  
41 agreement entered into by the treasurer of state in  
42 accordance with section 12.28 for internet protocol  
43 video technology equipment for the network. For  
44 purposes of this subsection, the treasurer of state  
45 is not subject to the maximum principal limitation  
46 contained in section 12.28, subsection 6. Repayment  
47 of any amounts financed shall be made from receipts  
48 associated with fees charged for use of the network.

49 5. DEPARTMENT OF MANAGEMENT

50 For the continued development and implementation

1 of a searchable database that can be placed on the  
2 internet for budget and financial information:

3 FY 2013-2014:  
4 ..... \$ 45,000

5 6. DEPARTMENT OF PUBLIC DEFENSE

6 To the homeland security and emergency management  
7 division or its successor, for grants for counties  
8 for emergency generators including emergency diesel  
9 generators for radio communications:

10 FY 2013-2014:  
11 ..... \$ 200,000

12 7. DEPARTMENT OF PUBLIC HEALTH

13 For technology consolidation projects:

14 FY 2013-2014:  
15 ..... \$ 480,000

16 Sec. 4. REVERSION. For purposes of section 8.33,  
17 unless specifically provided otherwise, unencumbered  
18 or unobligated moneys made from an appropriation in  
19 this division of this Act shall not revert but shall  
20 remain available for expenditure for the purposes  
21 designated until the close of the fiscal year that ends  
22 three years after the end of the fiscal year for which  
23 the appropriation was made. However, if the project  
24 or projects for which such appropriation was made are  
25 completed in an earlier fiscal year, unencumbered or  
26 unobligated moneys shall revert at the close of that  
27 same fiscal year.

28 DIVISION III

29 CHILDREN'S HEALTH INSURANCE PROGRAM ---- REBUILD IOWA  
30 INFRASTRUCTURE FUND

31 Sec. 5. CHILDREN'S HEALTH INSURANCE PROGRAM ----

32 DEPARTMENT OF ADMINISTRATIVE SERVICES. Any moneys  
33 remaining on June 30, 2013, from moneys received from  
34 the federal government through the child enrollment  
35 contingency fund established pursuant to section 103  
36 of the federal Children's Health Insurance Program  
37 Reauthorization Act of 2009, Pub. L. No. 111-3, are  
38 transferred to the rebuild Iowa infrastructure fund  
39 created in section 8.57 and appropriated to the  
40 department of administrative services for the following  
41 fiscal year, to be used for projects related to major  
42 repairs and major maintenance for state buildings and  
43 facilities:

44 FY 2013-2014:  
45 ..... \$ 11,310,648

46 The moneys appropriated pursuant to this section  
47 shall not be used for any appropriations that receive  
48 federal funding. Notwithstanding section 8.33, the  
49 moneys appropriated in this section shall not revert to  
50 the fund from which appropriated.

1 The department of human services shall work with  
2 the department of management and the department of  
3 administrative services in drawing down the federal  
4 funds.

5 DIVISION IV

6 MULTIMODAL TRANSPORTATION ---- GENERAL FUND

7 Sec. 6. MULTIMODAL TRANSPORTATION.

8 1. There is appropriated from the general fund  
9 of the state to the department of transportation for  
10 the following fiscal years, the following amounts, or  
11 so much thereof as is necessary, to be used for the  
12 purposes designated:

13 For multimodal transportation projects as determined  
14 by the transportation commission:

15 FY 2013-2014:  
16 ..... \$ 5,500,000  
17 FY 2014-2015:  
18 ..... \$ 5,500,000

19 2. For purposes of section 8.33, unless  
20 specifically provided otherwise, moneys appropriated in  
21 this section that remain unencumbered or unobligated  
22 shall not revert but shall remain available for  
23 expenditure for the purposes designated until the close  
24 of the fiscal year that ends three years after the end  
25 of the fiscal year for which the appropriation was  
26 made. However, if the project or projects for which  
27 the appropriation was made are completed in an earlier  
28 fiscal year, unencumbered or unobligated moneys shall  
29 revert at the close of that same fiscal year.

30 DIVISION V

31 GENERAL FUND FY 2013 TRANSFER

32 Sec. 7. GENERAL FUND FY 2013 TRANSFER. There is  
33 transferred from the general fund of the state to the  
34 rebuild Iowa infrastructure fund for the fiscal year  
35 beginning July 1, 2012, and ending June 30, 2013, the  
36 amount of \$20,000,000.

37 Sec. 8. EFFECTIVE UPON ENACTMENT. This division of  
38 this Act, being deemed of immediate importance, takes  
39 effect upon enactment.

40 DIVISION VI

41 FY 2014 GENERAL FUND TRANSFER ---- RIIF

42 Sec. 9. FY 2014 GENERAL FUND TRANSFER ----  
43 RIIF. There is transferred from the general fund of  
44 the state to the rebuild Iowa infrastructure fund for  
45 the fiscal year beginning July 1, 2013, and ending June  
46 30, 2014, the amount of \$4,103,000.

47 DIVISION VII

48 PROPERTY TAX CREDIT FUND BALANCE TRANSFER ---- REBUILD

49 IOWA INFRASTRUCTURE FUND

50 Sec. 10. PROPERTY TAX CREDIT FUND BALANCE TRANSFER

1 ---- REBUILD IOWA INFRASTRUCTURE FUND. Moneys in the  
2 property tax credit fund created in 2010 Iowa Acts,  
3 chapter 1193, section 8, that remain unencumbered or  
4 unobligated on June 30, 2013, shall be transferred to  
5 the rebuild Iowa infrastructure fund.

6 Sec. 11. EFFECTIVE UPON ENACTMENT. This division  
7 of this Act, being deemed of immediate importance,  
8 takes effect upon enactment.

9 DIVISION VIII

10 DEPARTMENT OF TRANSPORTATION ---- CONTINGENT  
11 APPROPRIATION

12 Sec. 12. DEPARTMENT OF TRANSPORTATION ----  
13 APPROPRIATION.

14 1. For the fiscal year beginning July 1, 2014, and  
15 ending June 30, 2015, there is appropriated from the  
16 rebuild Iowa infrastructure fund to the department  
17 of transportation \$2,500,000 for any public transit  
18 authority to develop a bus rapid transit service,  
19 notwithstanding section 8.57, subsection 5, paragraph  
20 "c".

21 2. This appropriation is contingent upon an  
22 authority's receipt of local funds and the receipt of  
23 a federal grant, by December 31, 2014, in an amount  
24 sufficient to complete the project. The authority  
25 shall notify the legislative services agency and the  
26 department of management if such funds are received no  
27 later than January 15, 2015.

28 Sec. 13. REVERSION. For purposes of section 8.33,  
29 unless specifically provided otherwise, unencumbered  
30 or unobligated moneys made from an appropriation in  
31 this division of this Act shall not revert but shall  
32 remain available for expenditure for the purposes  
33 designated until the close of the fiscal year that ends  
34 three years after the end of the fiscal year for which  
35 the appropriation is made. However, if the project  
36 or projects for which such appropriation was made are  
37 completed in an earlier fiscal year, unencumbered or  
38 unobligated moneys shall revert at the close of that  
39 same fiscal year.

40 DIVISION IX

41 IOWA JOBS BOARD

42 Sec. 14. Section 12.87, subsection 12, Code 2013,  
43 is amended to read as follows:

44 12. Neither the treasurer of state, the Iowa  
45 ~~jobs board~~ finance authority, nor any person acting  
46 on behalf of the treasurer of state or the Iowa ~~jobs~~  
47 ~~board~~ finance authority while acting within the scope  
48 of their employment or agency, is subject to personal  
49 liability resulting from carrying out the powers and  
50 duties conferred by this section and sections 12.88

1 through 12.90.

2 Sec. 15. Section 16.193, subsection 1, Code 2013,  
3 is amended to read as follows:

4 ~~1. The Iowa finance authority, subject to approval~~  
5 ~~by the Iowa jobs board,~~ shall adopt administrative  
6 rules pursuant to chapter 17A necessary to administer  
7 the Iowa jobs program and Iowa jobs II program. The  
8 authority shall ~~provide the board with assistance in~~  
9 ~~implementing administrative functions, be responsible~~  
10 for providing technical assistance and application  
11 assistance to applicants under the programs,  
12 negotiating contracts, and providing project follow  
13 up. The authority, in cooperation with the board,  
14 ~~may conduct negotiations on behalf of the board with~~  
15 ~~applicants regarding terms and conditions applicable to~~  
16 ~~awards under the program.~~

17 Sec. 16. Section 16.194, subsection 2, Code 2013,  
18 is amended to read as follows:

19 2. A city or county or a public organization in  
20 this state may submit an application to the ~~Iowa~~  
21 ~~jobs board~~ authority for financial assistance for  
22 a local infrastructure competitive grant for an  
23 eligible project under the program, notwithstanding  
24 any limitation on the state's percentage in funding as  
25 contained in section 29C.6, subsection 17.

26 Sec. 17. Section 16.194, subsection 4, unnumbered  
27 paragraph 1, Code 2013, is amended to read as follows:

28 The ~~board~~ authority shall consider the following  
29 criteria in evaluating eligible projects to receive  
30 financial assistance under the program:

31 Sec. 18. Section 16.194, subsection 7, Code 2013,  
32 is amended to read as follows:

33 7. In order for a project to be eligible to receive  
34 financial assistance from the ~~board~~ authority, the  
35 project must be a public construction project pursuant  
36 to subsection 1 with a demonstrated substantial local,  
37 regional, or statewide economic impact.

38 Sec. 19. Section 16.194, subsection 8, unnumbered  
39 paragraph 1, Code 2013, is amended to read as follows:

40 The ~~board~~ authority shall not approve an application  
41 for assistance for any of the following purposes:

42 Sec. 20. Section 16.194, subsection 9, paragraph b,  
43 Code 2013, is amended to read as follows:

44 b. Any portion of an amount allocated for projects  
45 that remains unexpended or unencumbered one year after  
46 the allocation has been made may be reallocated to  
47 another project category, at the discretion of the  
48 ~~board~~ authority. The ~~board~~ authority shall ensure that  
49 all bond proceeds be expended within three years from  
50 when the allocation was initially made.



1 Sec. 21. Section 16.194, subsection 10, Code 2013,  
2 is amended to read as follows:

3 10. The ~~board~~ authority shall ensure that funds  
4 obligated under this section are coordinated with other  
5 federal program funds received by the state, and that  
6 projects receiving funds are located in geographically  
7 diverse areas of the state.

8 Sec. 22. Section 16.194A, subsections 2, 7, 9, and  
9 10, Code 2013, are amended to read as follows:

10 2. A city or county in this state that applies the  
11 smart planning principles and guidelines pursuant to  
12 sections 18B.1 and 18B.2 may submit an application to  
13 the ~~Iowa jobs board~~ authority for financial assistance  
14 for a local infrastructure competitive grant for an  
15 eligible project under the program, notwithstanding  
16 any limitation on the state's percentage in funding as  
17 contained in section 29C.6, subsection 17.

18 7. In order for a project to be eligible to receive  
19 financial assistance from the ~~board~~ authority, the  
20 project must be a public construction project pursuant  
21 to subsection 1 with a demonstrated substantial local,  
22 regional, or statewide economic impact.

23 9. Any portion of an amount allocated for projects  
24 that remains unexpended or unencumbered one year after  
25 the allocation has been made may be reallocated to  
26 another project category, at the discretion of the  
27 ~~board~~ authority. The ~~board~~ authority shall ensure that  
28 all bond proceeds be expended within three years from  
29 when the allocation was initially made.

30 10. The ~~board~~ authority shall ensure that funds  
31 obligated under this section are coordinated with other  
32 federal program funds received by the state, and that  
33 projects receiving funds are located in geographically  
34 diverse areas of the state.

35 Sec. 23. Section 16.194A, subsection 4, unnumbered  
36 paragraph 1, Code 2013, is amended to read as follows:

37 The ~~board~~ authority shall consider the following  
38 criteria in evaluating eligible projects to receive  
39 financial assistance under the program:

40 Sec. 24. Section 16.194A, subsection 8, unnumbered  
41 paragraph 1, Code 2013, is amended to read as follows:

42 The ~~board~~ authority shall not approve an application  
43 for assistance for any of the following purposes:

44 Sec. 25. Section 16.195, Code 2013, is amended to  
45 read as follows:

46 16.195 Iowa jobs program application review.

47 1. Applications for assistance under the Iowa jobs  
48 program and Iowa jobs II program shall be submitted to  
49 the ~~Iowa finance authority~~ for review and approval.

50 ~~The authority shall provide a staff review and~~



~~1 evaluation of applications to the Iowa jobs program~~  
~~2 review committee referred to in subsection 2 and to the~~  
~~3 Iowa jobs board.~~

~~4 2. A review committee composed of members of the~~  
~~5 board as determined by the board shall review Iowa~~  
~~6 jobs program applications submitted to the board and~~  
~~7 make recommendations regarding the applications to the~~  
~~8 board.~~ When reviewing the applications, the review  
~~9 committee and the authority shall consider the project~~  
~~10 criteria specified in sections 16.194 and 16.194A. The~~  
~~11 board authority shall develop the appropriate level of~~  
~~12 transparency regarding project fund allocations.~~

~~13 3. Upon approval of an application for financial~~  
~~14 assistance under the program, the board authority shall~~  
~~15 notify the treasurer of state regarding the amount~~  
~~16 of moneys needed to satisfy the award of financial~~  
~~17 assistance and the terms of the award. The treasurer~~  
~~18 of state shall notify the Iowa finance authority any~~  
~~19 time moneys are disbursed to a recipient of financial~~  
~~20 assistance under the program.~~

~~21 Sec. 26. Section 16.196, Code 2013, is amended to~~  
~~22 read as follows:~~

~~23 16.196 Iowa jobs restricted capitals fund ---- fund~~  
~~24 appropriations.~~

~~25 1. An Iowa jobs restricted capitals fund is created~~  
~~26 and established as a separate and distinct fund in~~  
~~27 the state treasury. The fund consists of moneys~~  
~~28 appropriated from the revenue bonds capitals fund~~  
~~29 created in section 12.88. The moneys in the fund~~  
~~30 are appropriated to the Iowa jobs board for purposes~~  
~~31 of the Iowa jobs program established in section~~  
~~32 16.194. Moneys in the fund shall not be subject to~~  
~~33 appropriation for any other purpose by the general~~  
~~34 assembly, but shall be used only for the purposes of~~  
~~35 the Iowa jobs program. The treasurer of state shall~~  
~~36 act as custodian of the fund and disburse moneys~~  
~~37 contained in the fund. The fund shall be administered~~  
~~38 by the board which shall make allocations from the fund~~  
~~39 consistent with the purposes of the Iowa jobs program.~~

~~40 2. 1. There is appropriated from the revenue bonds~~  
~~41 capitals fund created in section 12.88, to the Iowa~~  
~~42 jobs restricted capitals fund authority, for the fiscal~~  
~~43 year beginning July 1, 2009, and ending June 30, 2010,~~  
~~44 one hundred sixty-five million dollars to be allocated~~  
~~45 as follows:~~

~~46 a. One hundred eighteen million five hundred~~  
~~47 thousand dollars for competitive grants for local~~  
~~48 infrastructure projects relating to disaster~~  
~~49 rebuilding, reconstruction and replacement of local~~  
~~50 buildings, flood control and flood protection, and~~

1 future flood prevention public projects. An applicant  
2 for a local infrastructure grant shall not receive more  
3 than fifty million dollars in financial assistance from  
4 the fund.

5 b. Forty-six million five hundred thousand  
6 dollars for disaster relief and mitigation and local  
7 infrastructure grants for the following renovation and  
8 construction projects, notwithstanding any limitation  
9 on the state's percentage participation in funding as  
10 contained in section 29C.6, subsection 17:

11 (1) For grants to a county with a population  
12 between one hundred eighty-nine thousand and one  
13 hundred ninety-six thousand in the latest preceding  
14 certified federal census, to be distributed as follows:

15 (a) Ten million dollars for the construction of a  
16 new, shared facility between nonprofit human service  
17 organizations serving the public, especially the needs  
18 of low-income Iowans, including those displaced as a  
19 result of the disaster of 2008.

20 (b) Five million dollars for the construction or  
21 renovation of a facility for a county-funded workshop  
22 program serving the public and particularly persons  
23 with mental illness or developmental disabilities.

24 (2) For grants to a city with a population between  
25 one hundred ten thousand and one hundred twenty  
26 thousand in the latest preceding certified federal  
27 census, to be distributed as follows:

28 (a) Five million dollars for an economic  
29 redevelopment project benefiting the public by  
30 improving energy efficiency and the development of  
31 alternative and renewable energy technologies.

32 (b) Ten million dollars for a museum serving the  
33 public and dedicated to the preservation of an eastern  
34 European cultural heritage through the collection,  
35 exhibition, preservation, and interpretation of  
36 historical artifacts.

37 (c) Five million dollars for a theater serving  
38 the public and promoting culture, entertainment, and  
39 tourism.

40 (d) Five million dollars for a public library.

41 (e) Five million dollars for a public works  
42 building.

43 (3) One million five hundred thousand dollars, to  
44 be distributed as follows:

45 (a) Five hundred thousand dollars to a city with a  
46 population between six hundred and six hundred fifty in  
47 the latest preceding certified federal census, for a  
48 public fire station.

49 (b) Five hundred thousand dollars to a city with a  
50 population between one thousand four hundred and one

1 thousand five hundred in the latest preceding certified  
2 federal census, for a public fire station.

3 (c) Five hundred thousand dollars for a city with  
4 a population between seven thousand eight hundred and  
5 seven thousand eight hundred fifty, for a public fire  
6 station.

7 ~~3.~~ 2. Grant awards for a project under subsection  
8 ~~2~~ 1, paragraph "b", are contingent upon submission of a  
9 plan for each project by the applicable county or city  
10 governing board or in the case of a project submitted  
11 pursuant to subsection 2 1, paragraph "b", subparagraph  
12 (2), subparagraph division (b), by the board of  
13 directors, to the ~~Iowa jobs board~~ authority, no later  
14 than September 1, 2009, detailing a description of  
15 the project, the plan to rebuild, and the amount  
16 or percentage of federal, state, local, or private  
17 matching moneys which will be or have been provided for  
18 the project. Funds not utilized in accordance with  
19 subsection ~~2~~, paragraph "b", ~~due to failure to file a~~  
20 ~~plan by the September 1 deadline~~ 1, shall revert to the  
21 ~~Iowa jobs restricted revenue bonds~~ capitals fund ~~to be~~  
22 ~~available for local infrastructure competitive grants.~~  
23 A grant recipient under subsection ~~2~~ 1, paragraph  
24 "b", shall not be precluded from applying for a local  
25 infrastructure competitive grant pursuant to this  
26 section and section 16.195.

27 ~~4. Moneys in the fund are not subject to section~~  
28 ~~8.33. Notwithstanding section 12C.7, subsection 2,~~  
29 ~~interest or earnings on moneys in the fund shall be~~  
30 ~~credited to the fund.~~

31 ~~5.~~ 3. Annually, on or before January 15 of  
32 each year, the ~~board~~ authority shall report to the  
33 legislative services agency and the department of  
34 management the status of all projects receiving  
35 moneys from the fund completed or in progress. The  
36 report shall include a description of the project, the  
37 progress of work completed, the total estimated cost of  
38 the project, a list of all revenue sources being used  
39 to fund the project, the amount of funds expended, the  
40 amount of funds obligated, and the date the project  
41 was completed or an estimated completion date of the  
42 project, where applicable.

43 ~~6.~~ 4. Payment of moneys appropriated from the  
44 fund shall be made in a manner that does not adversely  
45 affect the tax-exempt status of any outstanding bonds  
46 issued by the treasurer of state.

47 Sec. 27. Section 16.197, Code 2013, is amended to  
48 read as follows:

49 16.197 Limitation of liability.

50 ~~A member of the Iowa jobs board, a person acting~~

~~1 on behalf of the board while acting within the scope~~  
~~2 of their employment or agency, The authority or the~~  
3 treasurer of state, shall not be subject to personal  
4 liability resulting from carrying out the powers and  
5 duties of the ~~board~~ authority or the treasurer, as  
6 applicable, in sections ~~16.192~~ 16.193 through 16.196.

7 Sec. 28. IOWA JOBS BOARD ---- TRANSITION PROVISIONS  
8 ---- LIMITATION OF LIABILITY.

9 1. Any contract or agreement issued or entered into  
10 by the Iowa jobs board relating to the provisions of  
11 this division of this Act, in effect on the effective  
12 date of this division of this Act, shall continue  
13 in full force and effect and any responsibility of  
14 the board relative to the contracts or agreements as  
15 provided in those contracts or agreements shall be  
16 transferred to the Iowa finance authority.

17 2. A member of the Iowa jobs board or a person  
18 acting on behalf of the board while acting within  
19 the scope of that person's employment or agency shall  
20 not be subject to personal liability resulting from  
21 carrying out the powers and duties of the board prior  
22 to the effective date of this division of this Act,  
23 as applicable, in sections 12.87 through 12.90 and in  
24 sections 16.192 through 16.196, Code 2013.

25 Sec. 29. REPEAL. Sections 16.191 and 16.192, Code  
26 2013, are repealed.

27 DIVISION X

28 MISCELLANEOUS CODE CHANGES

29 Sec. 30. Section 8.57, subsection 5, paragraph  
30 e, subparagraph (1), subparagraph division (a),  
31 subparagraph subdivision (i), Code 2013, is amended to  
32 read as follows:

33 (i) ~~Notwithstanding provisions to the contrary~~  
34 ~~in sections 99D.17 and 99F.11, for~~ For the fiscal  
35 year beginning July 1, 2000, and for each fiscal year  
36 thereafter, not more than a total of sixty-six million  
37 dollars shall be deposited in the general fund of the  
38 state in any fiscal year pursuant to sections 99D.17 and  
39 99F.11.

40 Sec. 31. Section 8.57, subsection 5, paragraph  
41 e, subparagraph (1), subparagraph division (d),  
42 subparagraph subdivision (i), Code 2013, is amended to  
43 read as follows:

44 (i) The total moneys in excess of the moneys  
45 deposited under this paragraph "e" in the revenue  
46 bonds debt service fund, the revenue bonds federal  
47 subsidy holdback fund, the vision Iowa fund, the school  
48 infrastructure fund, and the general fund of the state  
49 in a fiscal year shall be deposited in the rebuild Iowa  
50 infrastructure fund and shall be used as provided in

1 this section, notwithstanding section 8.60.

2 Sec. 32. Section 8.57, subsection 5, paragraph  
3 e, subparagraph (1), subparagraph division (d),  
4 subparagraph subdivision (ii), Code 2013, is amended by  
5 adding the following new subparagraph part:

6 NEW SUBPARAGRAPH PART. (C) For the fiscal year  
7 beginning July 1, 2013, and ending June 30, 2014,  
8 thirty-four million one hundred twenty thousand dollars  
9 shall be deposited in the general fund of the state and  
10 the remainder shall be deposited in the rebuild Iowa  
11 infrastructure fund.

12 Sec. 33. Section 8.57C, subsection 3, Code 2013, is  
13 amended to read as follows:

14 3. a. There is appropriated from the general fund  
15 of the state for the fiscal year beginning July 1, ~~2013~~  
16 2014, and for each subsequent fiscal year thereafter,  
17 the sum of seventeen million five hundred thousand  
18 dollars to the technology reinvestment fund.

19 b. There is appropriated from the rebuild Iowa  
20 infrastructure fund for the fiscal year beginning  
21 July 1, 2008, and ending June 30, 2009, the sum of  
22 seventeen million five hundred thousand dollars,  
23 and for the fiscal year beginning July 1, 2009, and  
24 ending June 30, 2010, the sum of fourteen million five  
25 hundred twenty-five thousand dollars to the technology  
26 reinvestment fund, notwithstanding section 8.57,  
27 subsection 5, paragraph "c".

28 c. There is appropriated from the rebuild Iowa  
29 infrastructure fund for the fiscal year beginning  
30 July 1, 2010, and ending June 30, 2011, the sum of ten  
31 million dollars to the technology reinvestment fund,  
32 notwithstanding section 8.57, subsection 5, paragraph  
33 "c".

34 d. There is appropriated from the rebuild Iowa  
35 infrastructure fund for the fiscal year beginning July  
36 1, 2011, and ending June 30, 2012, the sum of fifteen  
37 million five hundred forty-one thousand dollars to the  
38 technology reinvestment fund, notwithstanding section  
39 8.57, subsection 5, paragraph "c".

40 e. There is appropriated from the general fund of  
41 the state for the fiscal year beginning July 1, 2013,  
42 and ending June 30, 2014, the sum of thirteen million,  
43 three hundred ninety-seven thousand dollars to the  
44 technology reinvestment fund, notwithstanding section  
45 8.57, subsection 5, paragraph "c".

46 Sec. 34. Section 15F.204, subsection 5, Code 2013,  
47 is amended by adding the following new paragraph:

48 NEW PARAGRAPH. c. Priority to projects under this  
49 subsection shall be given to projects that attract the  
50 highest number of visitors and that attain the highest

1 match levels.

2 Sec. 35. Section 15F.204, subsection 8, paragraph  
3 g, Code 2013, is amended to read as follows:

4 g. For each fiscal year for the fiscal period  
5 beginning July 1, 2012, and ending June 30, ~~2014~~ 2016,  
6 the sum of ~~five~~ ten million dollars.

7 Sec. 36. Section 99D.14, subsection 2, paragraph c,  
8 Code 2013, is amended to read as follows:

9 c. Notwithstanding sections 8.60 and 99D.17,  
10 the portion of the fee paid pursuant to paragraph  
11 "a"relating to the costs of the commission shall ~~not be~~  
12 ~~deposited in the general fund of the state but instead~~  
13 ~~shall~~ be deposited into the gaming regulatory revolving  
14 fund established in section 99F.20.

15 Sec. 37. Section 99D.17, Code 2013, is amended to  
16 read as follows:

17 99D.17 Use of funds.

18 Funds received pursuant to sections 99D.14 and  
19 99D.15 shall be deposited ~~in the general fund of~~  
20 ~~the state as provided in section 8.57, subsection 5,~~  
21 and shall be subject to the requirements of section  
22 8.60. These funds shall first be used to the extent  
23 appropriated by the general assembly. The commission  
24 is subject to the budget requirements of chapter 8 and  
25 the applicable auditing requirements and procedures of  
26 chapter 11.

27 Sec. 38. Section 99F.10, subsection 4, paragraph c,  
28 Code 2013, is amended to read as follows:

29 c. Notwithstanding sections 8.60 and 99F.4,  
30 the portion of the fee paid pursuant to paragraph  
31 "a"relating to the costs of the commission ~~shall not be~~  
32 ~~deposited in the general fund of the state but instead~~  
33 shall be deposited into the gaming regulatory revolving  
34 fund established in section 99F.20.

35 Sec. 39. Section 99F.11, subsection 3, paragraph e,  
36 Code 2013, is amended to read as follows:

37 e. The remaining amount of the adjusted gross  
38 receipts tax shall be credited ~~to the general fund of~~  
39 ~~the state as provided in section 8.57, subsection 5.~~

40 DIVISION XI

41 CHANGES TO PRIOR APPROPRIATIONS

42 Sec. 40. 2007 Iowa Acts, chapter 219, section 2, as  
43 amended by 2011 Iowa Acts, chapter 133, section 32, and  
44 2012 Iowa Acts, chapter 1138, section 10, is amended  
45 to read as follows:

46 SEC. 2. REVERSION.

47 1. Except as provided in subsection 2 and  
48 notwithstanding section 8.33, moneys appropriated  
49 for the fiscal year beginning July 1, 2007, in this  
50 division of this Act that remain unencumbered or



1 unobligated at the close of the fiscal year shall not  
2 revert but shall remain available for the purposes  
3 designated until the close of the fiscal year that  
4 begins July 1, 2010, or until the project for which  
5 the appropriation was made is completed, whichever is  
6 earlier.

7 2. a. Notwithstanding section 8.33, moneys  
8 appropriated in section 1, subsection 1, paragraphs  
9 "a" and "f" of this division of this Act that remain  
10 unencumbered or unobligated at the close of the fiscal  
11 year for which they were appropriated shall not revert  
12 but shall remain available for the purposes designated  
13 until the close of the fiscal year that begins July  
14 1, ~~2012~~ 2013, or until the project for which the  
15 appropriation was made is completed, whichever is  
16 earlier.

17 b. The department of administrative services  
18 is authorized to provide for the disposition and  
19 relocation of structures located at 707 east locust  
20 and 709 east locust, Des Moines, Iowa, in a manner as  
21 deemed appropriate by the department. The disposition  
22 of the structures, if possible, shall be completed in  
23 a manner that reduces or eliminates the costs of the  
24 state associated with the removal of the structures  
25 from their current locations. Any amount received from  
26 the disposition of the structures as permitted under  
27 this section shall be retained by the department to pay  
28 for improvement costs associated with the restoration  
29 of the west capitol terrace. The department, if unable  
30 to otherwise dispose of the structures, is authorized  
31 to demolish the structures using other appropriate  
32 funding available to the department.

33 Sec. 41. 2008 Iowa Acts, chapter 1179, section 20,  
34 as amended by 2009 Iowa Acts, chapter 173, section 25,  
35 is amended to read as follows:

36 SEC 20. REVERSION.

37 1. Notwithstanding Except as provided in  
38 subsections 2 through 4 and notwithstanding section  
39 8.33, moneys appropriated in this division of this Act  
40 for the fiscal year beginning July 1, 2008, and ending  
41 June 30, 2009, shall not revert at the close of the  
42 fiscal year for which they are appropriated but shall  
43 remain available for the purposes designated until the  
44 close of the fiscal year that begins July 1, 2012, or  
45 until the project for which the appropriation was made  
46 is completed, whichever is earlier.

47 2. Notwithstanding section 8.33, moneys  
48 appropriated in section 18, subsection 9, paragraph  
49 "a", of this division as amended by 2009 Iowa Acts,  
50 chapter 173, section 24, that remain unencumbered or

1 unobligated at the close of the fiscal year for which  
2 they were appropriated shall not revert but shall  
3 remain available for the purposes designated until the  
4 close of the fiscal year that begins July 1, 2017, or  
5 until the project for which the appropriation was made  
6 is completed, whichever is earlier.

7 3. Notwithstanding section 8.33, moneys  
8 appropriated in section 18, subsection 1, paragraph  
9 "h", of this division of this Act as amended by  
10 2009 Iowa Acts, chapter 173, section 23, that remain  
11 unencumbered or unobligated at the close of the fiscal  
12 year for which the appropriation was made shall not  
13 revert but shall remain available for the purpose  
14 designated until the close of the fiscal year that  
15 begins July 1, 2013, or until the project for which  
16 the appropriation was made is completed, whichever is  
17 earlier.

18 4. Notwithstanding section 8.33, moneys  
19 appropriated to the department of economic development  
20 in section 18 of this division of this Act as amended  
21 by 2009 Iowa Acts, chapter 173, section 24, and  
22 2011 Iowa Acts, chapter 133, section 34, that remain  
23 unencumbered or unobligated at the close of the fiscal  
24 year for which the appropriation was made shall not  
25 revert but shall remain available for the purpose  
26 designated until the close of the fiscal year that  
27 begins July 1, 2014, or until the project for which  
28 the appropriation was made is completed, whichever is  
29 earlier.

30 Sec. 42. 2008 Iowa Acts, chapter 1179, section 23,  
31 is amended to read as follows:

32 SEC 23. REVERSION. Notwithstanding section 8.33,  
33 moneys appropriated in this division of this Act for  
34 the fiscal year beginning July 1, 2008, and ending June  
35 30, 2009, shall not revert at the close of the fiscal  
36 year for which they are appropriated but shall remain  
37 available for the purposes designated until the close  
38 of the fiscal year that begins July 1, ~~2012~~ 2013, or  
39 until the project for which the appropriation was made  
40 is completed, whichever is earlier.

41 Sec. 43. 2009 Iowa Acts, chapter 173, section 15,  
42 is amended to read as follows:

43 SEC 15. REVERSION.

44 1. Notwithstanding Except as provided in  
45 subsections 2 and 3 and notwithstanding section 8.33,  
46 moneys appropriated in this division of this Act for  
47 the fiscal year beginning July 1, 2009, and ending June  
48 30, 2010, shall not revert at the close of the fiscal  
49 year for which they are appropriated but shall remain  
50 available for the purposes designated until the close



1 of the fiscal year that begins July 1, 2012, or until  
2 the project for which the appropriation was made is  
3 completed, whichever is earlier.

4 2. Notwithstanding section 8.33, moneys  
5 appropriated in section 13, subsection 4, paragraph  
6 "a", of this division of this Act that remain  
7 unencumbered or unobligated at the close of the fiscal  
8 year for which the appropriation was made shall not  
9 revert but shall remain available for the purposes  
10 designated until the close of the fiscal year that  
11 begins July 1, 2014, or until the projects for which  
12 the appropriation was made are completed, whichever is  
13 earlier.

14 3. Notwithstanding section 8.33, moneys  
15 appropriated in section 13, subsection 4, paragraph  
16 "d", of this division of this Act as amended by 2010  
17 Iowa Acts, chapter 1184, section 65, that remain  
18 unencumbered or unobligated at the close of the fiscal  
19 year for which the appropriation was made shall not  
20 revert but shall remain available for the purposes  
21 designated until the close of the fiscal year that  
22 begins July 1, 2013, or until the projects for which  
23 the appropriation was made are completed, whichever is  
24 earlier.

25 Sec. 44. 2009 Iowa Acts, chapter 184, section  
26 1, subsection 1, paragraph "c" is amended to read as  
27 follows:

28 c. For costs associated with improvements to and  
29 renovation of the Wallace building for extending the  
30 useful life of the building:

31 ..... \$ 1,500,000

32 Of the amount appropriated in this lettered  
33 paragraph, \$800,000 shall be allocated for relocation  
34 costs for moving employees out of the Wallace building  
35 including moving costs and lease adjustments. As a  
36 condition of this allocation, all employees currently  
37 located in the Wallace building shall be relocated to a  
38 new office location by December 31, 2013, pursuant to  
39 the department's competitive bidding process for office  
40 space.

41 Sec. 45. 2009 Iowa Acts, chapter 184, section 4, is  
42 amended to read as follows:

43 SEC. 20. REVERSION.

44 1. ~~For~~ Except as provided in subsection 2, for  
45 purposes of section 8.33, unless specifically provided  
46 otherwise, unencumbered or unobligated moneys made from  
47 an appropriation in this division of this Act shall not  
48 revert but shall remain available for expenditure for  
49 the purposes designated until the close of the fiscal  
50 year that ends three years after the end of the fiscal

1 year for which the appropriation was made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

2. Notwithstanding section 8.33, moneys appropriated in section 1, subsection 1, paragraphs "c" and "e", of this division of this Act shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2013, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 46. 2011 Iowa Acts, chapter 133, section 3, subsection 5, paragraph a, as amended by 2012 Iowa Acts, chapter 1140, section 17, is amended to read as follows:

a. To be used for medical contracts under the medical assistance program for technology upgrades necessary to support Medicaid claims and other health operations, worldwide HIPAA claims transactions and coding requirements, and the Iowa automated benefits calculation system:

FY 2011-2012.....	\$	3,494,176
FY 2012-2013.....	\$	4,120,037
FY 2013-2014.....	\$	<del>4,815,163</del>
		0
FY 2014-2015.....	\$	1,945,684
		0

In seeking to contract with a private organization or organizations for the Medicaid management information system, the state's chief information officer shall oversee the procurement process. An advisory panel shall be established to review the final scoring of the evaluators and to make a recommendation to the director regarding the contract award for the Medicaid management information system. The advisory panel, which shall be appointed by the Governor, shall consist of no less than three members. All members of the advisory panel shall be from the private sector and shall not have participated in any previous procurement for the Medicaid management information system or any procurement related to consulting or oversight of the Medicaid management information system. At least one member of the advisory panel shall have experience and knowledge in the area of management information systems and at least one member of the advisory panel shall be a provider of Medicaid services in the state of Iowa.

Sec. 47. 2012 Iowa Acts, chapter 1140, section 1, subsection 1, paragraph a, unnumbered paragraph 2, is amended to read as follows:

1 The moneys appropriated in this lettered paragraph  
2 shall be used according to the department's major  
3 maintenance project recommendation list ~~submitted~~  
4 ~~to the Governor's vertical infrastructure advisory~~  
5 ~~committee.~~

6 Sec. 48. 2012 Iowa Acts, chapter 1140, section  
7 1, subsection 3, paragraph a, is amended to read as  
8 follows:

9 a. For exterior and interior repairs and related  
10 improvements to the state historical building,  
11 including the addition of a visitor center:

12 FY 2012-2013.....	\$ 1,450,000
13 FY 2013-2014.....	\$ 1,000,000

14 Notwithstanding section 8.57, subsection 5,  
15 paragraph "c", moneys appropriated in this lettered  
16 paragraph may be used to study a public-private  
17 partnership to sell the existing building and to  
18 relocate the historical building on the capitol  
19 complex, including a visitor center. Any design for a  
20 new state historical building shall be compatible and  
21 consistent with the historical design of all buildings  
22 on the capitol complex.

23 By October 15, 2014, the department shall submit a  
24 report to the general assembly on the results of the  
25 study of the building including the use of anticipated  
26 cash flow needs for the projected building.

27 Sec. 49. EFFECTIVE UPON ENACTMENT. This division  
28 of this Act, being deemed of immediate importance,  
29 takes effect upon enactment.>

30 2. Title page, by striking line 3 and inserting  
31 <infrastructure fund, the technology reinvestment fund,  
32 and the general fund of the state,>

RECEIVED FROM THE SENATE

HOUSE FILE 642

H-1374

1 Amend House File 642 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 423B.1, subsection 1, Code  
4 2013, is amended to read as follows:

5 1. A city or county may impose by ordinance of the  
6 governing body of the city or the board of supervisors  
7 local option taxes authorized by this chapter, subject  
8 to this section and subject to the exception provided  
9 in subsection 2.

10 Sec. \_\_\_\_\_. Section 423B.1, subsection 2, Code 2013,  
11 is amended by striking the subsection.

12 Sec. \_\_\_\_\_. Section 423B.1, subsection 3, Code 2013,  
13 is amended to read as follows:

14 3. A local option tax shall be imposed only after  
15 an election at which a majority of those voting on the  
16 question favors imposition and shall then be imposed  
17 until repealed as provided in subsection 6, paragraph  
18 "a". If the tax is a local vehicle tax imposed by  
19 a county, it shall apply to all incorporated and  
20 unincorporated areas of the county. If the tax is  
21 a local sales and services tax imposed by a county,  
22 it shall only apply to ~~those incorporated areas and~~  
23 ~~the unincorporated area of that county in which if a~~  
24 ~~majority of those voting in the unincorporated area~~  
25 ~~on the tax favors its imposition and if the tax is~~  
26 ~~a local sales and services tax imposed by a city it~~  
27 ~~shall only apply to the city if a majority of those~~  
28 ~~voting in the city on the tax favors its imposition.~~  
29 ~~For purposes of the local sales and services tax, all~~  
30 ~~cities contiguous to each other shall be treated as~~  
31 ~~part of one incorporated area and the tax would be~~  
32 ~~imposed in each of those contiguous cities only if the~~  
33 ~~majority of those voting in the total area covered~~  
34 ~~by the contiguous cities favors its imposition. In~~  
35 ~~the case of a local sales and services tax submitted~~  
36 ~~to the registered voters of two or more contiguous~~  
37 ~~counties as provided in subsection 4, paragraph "c",~~  
38 ~~all cities contiguous to each other shall be treated as~~  
39 ~~part of one incorporated area, even if the corporate~~  
40 ~~boundaries of one or more of the cities include areas~~  
41 ~~of more than one county, and the tax shall be imposed~~  
42 ~~in each of those contiguous cities only if a majority~~  
43 ~~of those voting on the tax in the total area covered~~  
44 ~~by the contiguous cities favored its imposition. For~~  
45 ~~purposes of the local sales and services tax, a city is~~  
46 ~~not contiguous to another city if the only road access~~  
47 ~~between the two cities is through another state.>~~

48 2. Page 2, after line 8 by inserting:

49 <Sec. \_\_\_\_\_. Section 423B.1, subsection 4, paragraph  
50 c, Code 2013, is amended by striking the paragraph and

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1 inserting in lieu thereof the following:

2 c. A city is considered to be located in a county  
3 if over half of the population of the city is located  
4 in that county.

5 Sec. \_\_\_\_\_. Section 423B.1, subsection 5, Code 2013,  
6 is amended to read as follows:

7 5. The county commissioner of elections shall  
8 submit the question of imposition of a local option  
9 tax at an election held on a date specified in section  
10 39.2, subsection 4, paragraph "a". The election shall  
11 not be held sooner than sixty days after publication  
12 of notice of the ballot proposition. The ballot  
13 proposition shall specify the type and rate of tax and,  
14 in the case of a vehicle tax, the classes that will be  
15 exempt and, in the case of a local sales and services  
16 tax, the date it will be imposed which date shall not  
17 be earlier than ninety days following the election.  
18 The ballot proposition shall also specify the  
19 approximate amount of local option tax revenues that  
20 will be used for property tax relief and shall contain  
21 a statement as to the specific purpose or purposes for  
22 which the revenues shall otherwise be expended. If  
23 the county board of supervisors or city council, as  
24 applicable, decides under subsection 6 to specify a  
25 date on which the local option sales and services tax  
26 shall automatically be repealed, the date of the repeal  
27 shall also be specified on the ballot. The rate of the  
28 vehicle tax shall be in increments of one dollar per  
29 vehicle as set by the petition seeking to impose the  
30 tax. The rate of a local sales and services tax shall  
31 ~~not be more than one percent as set by the governing~~  
32 ~~body.~~ The state commissioner of elections shall  
33 establish by rule the form for the ballot proposition  
34 which form shall be uniform throughout the state.

35 Sec. \_\_\_\_\_. Section 423B.1, subsection 6, paragraph  
36 a, Code 2013, is amended to read as follows:

37 a. (1) If a majority of those voting on the  
38 question of imposition of a local ~~option~~ vehicle  
39 tax favors imposition of ~~a local option~~ the tax, the  
40 governing body of ~~that~~ the county shall impose the  
41 tax at the rate specified for an unlimited period.  
42 ~~However, in the case of a local sales and services tax,~~  
43 ~~the county shall not impose the tax in any incorporated~~  
44 ~~area or the unincorporated area if the majority of~~  
45 ~~those voting on the tax in that area did not favor~~  
46 ~~its imposition. For purposes of the local sales and~~  
47 ~~services tax, all cities contiguous to each other shall~~  
48 ~~be treated as part of one incorporated area and the tax~~  
49 ~~shall be imposed in each of those contiguous cities~~  
50 ~~only if the majority of those voting on the tax in the~~

~~1 total area covered by the contiguous cities favored~~  
~~2 its imposition. In the case of a local sales and~~  
~~3 services tax submitted to the registered voters of two~~  
~~4 or more contiguous counties as provided in subsection~~  
~~5 4, paragraph "c", all cities contiguous to each other~~  
~~6 shall be treated as part of one incorporated area,~~  
~~7 even if the corporate boundaries of one or more of~~  
~~8 the cities include areas of more than one county, and~~  
~~9 the tax shall be imposed in each of those contiguous~~  
10 cities only if a majority of those voting on the tax  
11 in the total area covered by the contiguous cities  
12 favor its imposition. If a majority of those voting  
13 on the question of imposition of a local option sales  
14 and services tax in a city favors imposition of the  
15 tax, the governing body of the city shall impose by  
16 ordinance the tax at the rate of one percent. If a  
17 majority of those voting on the question of imposition  
18 of a local option sales and services tax in the  
19 unincorporated area of the county favors imposition of  
20 the tax, the governing body of the county shall impose  
21 by ordinance the tax in the unincorporated area of the  
22 county at the rate of one percent.

23 (2) The local option tax may be repealed or the  
24 rate of the local vehicle tax increased or decreased  
25 or the ~~use thereof~~ of a local option tax changed after  
26 an election at which a majority of those voting on the  
27 question of repeal or rate or use change favored the  
28 repeal or rate or use change. The date on which the  
29 repeal, rate, or use change is to take effect shall not  
30 be earlier than ninety days following the election.  
31 The election at which the question of repeal or rate  
32 or use change is offered shall be called and held  
33 in the same manner and under the same conditions as  
34 provided in subsections 4 and 5 for the election on the  
35 imposition of the local option tax. However, in the  
36 case of a local sales and services tax where the tax  
37 has not been imposed countywide, the question of repeal  
38 or imposition or rate or use change shall be voted  
39 on only by the registered voters of the areas of the  
40 county where the tax has been imposed or has not been  
41 imposed, as appropriate. However, the governing body  
42 of the ~~incorporated area~~ city or unincorporated area  
43 where the local sales and services tax is imposed may,  
44 upon its own motion, request the county commissioner of  
45 elections to hold an election in the ~~incorporated city~~  
46 or unincorporated area, as appropriate, on the question  
47 of the change in use of local sales and services tax  
48 revenues. The election may be held at any time but  
49 not sooner than sixty days following publication of  
50 the ballot proposition. If a majority of those voting

1 in the ~~incorporated~~ city or unincorporated area on the  
2 change in use favors the change, the governing body of  
3 that city or area shall change the use to which the  
4 revenues shall be used. The ballot proposition shall  
5 list the present use of the revenues, the proposed use,  
6 and the date after which revenues received will be used  
7 for the new use.

8 (3) When submitting the question of the imposition  
9 of a local sales and services tax, the county board  
10 of supervisors or the governing body of the city  
11 may direct that the question contain a provision for  
12 the repeal, without election, of the local sales and  
13 services tax on a specific date, which date shall be as  
14 provided in section 423B.6, subsection 1.

15 Sec. \_\_\_\_\_. Section 423B.1, Code 2013, is amended by  
16 adding the following new subsection:

17 NEW SUBSECTION. 6A. If a proposition for the  
18 imposition of a local sales and services tax submitted  
19 to the voters of a city or unincorporated area of a  
20 county under this section fails to gain approval, the  
21 proposition shall not be resubmitted to the voters  
22 of that jurisdiction in substantially the same form  
23 for a period of three years following the date of the  
24 election and may only be resubmitted to the voters on a  
25 date specified in section 39.2, subsection 4, paragraph  
26 "a".

27 Sec. \_\_\_\_\_. Section 423B.1, subsection 7, paragraph  
28 b, Code 2013, is amended to read as follows:

29 b. Costs of local option tax elections shall be  
30 apportioned among jurisdictions within the county  
31 voting on the question at the same election on a pro  
32 rata basis in proportion to the number of registered  
33 voters in each taxing jurisdiction voting on the  
34 question and the total number of registered voters in  
35 all of the taxing jurisdictions voting on the question.

36 Sec. \_\_\_\_\_. Section 423B.1, subsections 8 through 10,  
37 Code 2013, are amended to read as follows:

38 8. Local option taxes authorized to be imposed  
39 as provided in this chapter are a local sales and  
40 services tax and a local vehicle tax. The rate of the  
41 tax shall be in increments of one dollar per vehicle  
42 for a vehicle tax as set on the petition seeking to  
43 impose the vehicle tax. The rate of a local sales and  
44 services tax shall ~~not be more than~~ one percent ~~as set~~  
45 ~~by the governing body~~.

46 9. a. In a county that has imposed a local  
47 ~~option~~ sales and services tax in the unincorporated  
48 area of the county, the board of supervisors shall,  
49 notwithstanding any contrary provision of this chapter,  
50 repeal the local ~~option~~ sales and services tax in the



~~1 unincorporated areas or in an incorporated city area in  
2 which the tax has been imposed area upon adoption of  
3 its own motion for repeal in the unincorporated areas  
4 or upon receipt of a motion adopted by the governing  
5 body of that incorporated city area requesting repeal.  
6 The board of supervisors shall repeal the local option  
7 sales and services tax effective on the later of  
8 the date of the adoption of the repeal motion or the  
9 earliest date specified in section 423B.6, subsection  
10 1. For purposes of this subsection, incorporated city  
11 area includes an incorporated city which is contiguous  
12 to another incorporated city.~~

13 b. In a city that has imposed a local sales and  
14 services tax, the governing body of the city shall,  
15 notwithstanding any contrary provision of this chapter,  
16 repeal the local sales and services tax in the city  
17 upon adoption of its own motion for repeal. The  
18 governing body of the city shall repeal the local sales  
19 and services tax effective on the later of the date of  
20 the adoption of the repeal motion or the earliest date  
21 specified in section 423B.6, subsection 1.

22 10. Notwithstanding subsection 9 or any other  
23 contrary provision of this chapter, a local option  
24 sales and services tax shall not be repealed ~~or reduced~~  
25 ~~in rate~~ if obligations are outstanding which are  
26 payable as provided in section 423B.9, unless funds  
27 sufficient to pay the principal, interest, and premium,  
28 if any, on the outstanding obligations at and prior to  
29 maturity have been properly set aside and pledged for  
30 that purpose.

31 Sec. \_\_\_\_\_. Section 423B.5, unnumbered paragraph 1,  
32 Code 2013, is amended to read as follows:

33 A local sales and services tax at the rate of ~~not~~  
34 ~~more than~~ one percent may be imposed by a city or  
35 county on the sales price taxed by the state under  
36 chapter 423, subchapter II. A local sales and services  
37 tax shall be imposed on the same basis as the state  
38 sales and services tax or in the case of the use of  
39 natural gas, natural gas service, electricity, or  
40 electric service on the same basis as the state use tax  
41 and shall not be imposed on the sale of any property or  
42 on any service not taxed by the state, except the tax  
43 shall not be imposed on the sales price from the sale  
44 of motor fuel or special fuel as defined in chapter  
45 452A which is consumed for highway use or in watercraft  
46 or aircraft if the fuel tax is paid on the transaction  
47 and a refund has not or will not be allowed, on the  
48 sales price from the sale of equipment by the state  
49 department of transportation, or on the sales price  
50 from the sale or use of natural gas, natural gas



1 service, electricity, or electric service in a city or  
2 county where the sales price from the sale of natural  
3 gas or electric energy is subject to a franchise fee or  
4 user fee during the period the franchise or user fee is  
5 imposed. A local sales and services tax is applicable  
6 to transactions within ~~those incorporated and the city~~  
7 ~~or unincorporated areas~~ area of the county where it is  
8 imposed and shall be collected by all persons required  
9 to collect state sales taxes. ~~All cities contiguous to~~  
10 ~~each other shall be treated as part of one incorporated~~  
11 ~~area and the tax would be imposed in each of those~~  
12 ~~contiguous cities only if the majority of those voting~~  
13 ~~in the total area covered by the contiguous cities~~  
14 ~~favours its imposition. In the case of a local sales~~  
15 ~~and services tax submitted to the registered voters~~  
16 ~~of two or more contiguous counties as provided in~~  
17 ~~section 423B.1, subsection 4, paragraph "c", all cities~~  
18 ~~contiguous to each other shall be treated as part of~~  
19 ~~one incorporated area, even if the corporate boundaries~~  
20 ~~of one or more of the cities include areas of more than~~  
21 ~~one county, and the tax shall be imposed in each of~~  
22 ~~those contiguous cities only if a majority of those~~  
23 ~~voting on the tax in the total area covered by the~~  
24 ~~contiguous cities favored its imposition.~~

25 Sec. \_\_\_\_\_. Section 423B.5, unnumbered paragraph 4,  
26 Code 2013, is amended to read as follows:

27 If a local sales and services tax is imposed by  
28 a city or county pursuant to this chapter, a local  
29 excise tax at the same rate shall be imposed by  
30 the city or county on the purchase price of natural  
31 gas, natural gas service, electricity, or electric  
32 service subject to tax under chapter 423, subchapter  
33 III, and not exempted from tax by any provision of  
34 chapter 423, subchapter III. The local excise tax is  
35 applicable only to the use of natural gas, natural gas  
36 service, electricity, or electric service within those  
37 incorporated and unincorporated areas of the county  
38 where it is imposed and, except as otherwise provided  
39 in this chapter, shall be collected and administered in  
40 the same manner as the local sales and services tax.  
41 For purposes of this chapter, "local sales and services  
42 tax" shall also include the local excise tax.

43 Sec. \_\_\_\_\_. Section 423B.6, subsection 1, paragraphs  
44 b and c, Code 2013, are amended to read as follows:

45 b. A local sales and services tax shall be repealed  
46 only on June 30 or December 31 but not sooner than  
47 ninety days following the favorable election if one is  
48 held. However, a local sales and services tax shall  
49 not be repealed before the tax has been in effect for  
50 one year. At least forty days before the imposition or

1 repeal of the tax, a the city or county, as applicable,  
2 shall provide notice of the action by certified mail  
3 to the director of revenue.

4 c. The imposition of ~~or a rate change for a~~  
5 local sales and services tax shall not be applied to  
6 purchases from a printed catalog wherein a purchaser  
7 computes the local tax based on rates published in the  
8 catalog unless a minimum of one hundred twenty days'  
9 notice of the imposition ~~or rate change~~ has been given  
10 to the seller from the catalog and the first day of  
11 a calendar quarter has occurred on or after the one  
12 hundred twentieth day.

13 Sec. \_\_\_\_\_. Section 423B.6, subsection 2, paragraph  
14 b, Code 2013, is amended to read as follows:

15 b. The ordinance of a governing body of a city or  
16 county board of supervisors imposing a local sales and  
17 services tax shall adopt by reference the applicable  
18 provisions of the appropriate sections of chapter  
19 423. All powers and requirements of the director  
20 to administer the state sales tax law and use tax  
21 law are applicable to the administration of a local  
22 sales and services tax law and the local excise tax,  
23 including but not limited to the provisions of section  
24 422.25, subsection 4, sections 422.30, 422.67, and  
25 422.68, section 422.69, subsection 1, sections 422.70  
26 through 422.75, section 423.14, subsection 1 and  
27 subsection 2, paragraphs "b" through "e", and sections  
28 423.15, 423.23, 423.24, 423.25, 423.31 through 423.35,  
29 423.37 through 423.42, 423.46, and 423.47. Local  
30 officials shall confer with the director of revenue  
31 for assistance in drafting the ordinance imposing a  
32 local sales and services tax. A certified copy of the  
33 ordinance shall be filed with the director as soon as  
34 possible after passage.

35 Sec. \_\_\_\_\_. Section 423B.6, subsection 3, paragraph  
36 b, Code 2013, is amended to read as follows:

37 b. All local tax moneys and interest and penalties  
38 received or refunded one hundred eighty days or more  
39 after the date on which the city or county repeals its  
40 local sales and services tax shall be deposited in or  
41 withdrawn from the state general fund.

42 Sec. \_\_\_\_\_. Section 423B.7, subsection 1, paragraph  
43 a, Code 2013, is amended to read as follows:

44 a. Except as provided in paragraph "b", the  
45 director shall credit the local sales and services  
46 tax receipts and interest and penalties from a  
47 county-imposed tax or a city-imposed tax to the  
48 county's account in the local sales and services tax  
49 fund ~~and from a city-imposed tax under section 423B.1,~~  
50 ~~subsection 2, to the city's account in the local sales~~

1 ~~and services tax fund~~ for the county in which the tax  
2 was collected. If the director is unable to determine  
3 from which county any of the receipts were collected,  
4 those receipts shall be allocated among the possible  
5 counties based on allocation rules adopted by the  
6 director.

7 Sec. \_\_\_\_\_. Section 423B.7, subsection 5, Code 2013,  
8 is amended by striking the subsection.

9 Sec. \_\_\_\_\_. Section 423B.8, subsection 1, paragraph  
10 a, Code 2013, is amended to read as follows:

11 a. The goods, wares, or merchandise are  
12 incorporated into an improvement to real estate in  
13 fulfillment of a written contract fully executed prior  
14 to the date of the imposition ~~or increase in rate~~ of a  
15 local sales and services tax under this chapter. The  
16 refund shall not apply to equipment transferred in  
17 fulfillment of a mixed construction contract.

18 Sec. \_\_\_\_\_. Section 423B.10, subsection 1, paragraph  
19 b, Code 2013, is amended to read as follows:

20 b. "Eligible city" means a city in which a local  
21 sales and services tax imposed by the city or county  
22 applies or a city described in section 423B.1,  
23 subsection 2, paragraph "a", Code 2013, and in which an  
24 urban renewal area has been designated.

25 Sec. \_\_\_\_\_. EFFECT OF ACT ---- CURRENT LOCAL OPTION  
26 TAXES. This Act shall not affect the imposition and  
27 collection of a local option tax imposed, or that will  
28 take effect, as the result of a petition received or  
29 a motion approved under chapter 423B prior to July 1,  
30 2013.

31 Sec. \_\_\_\_\_. APPLICABILITY.

32 1. This Act applies to petitions received pursuant  
33 to section 423B.1, subsection 4, paragraph "a", on or  
34 after July 1, 2013.

35 2. This Act applies to motions adopted pursuant  
36 to section 423B.1, subsection 4, paragraph "b", on or  
37 after July 1, 2013.>

38 3. Title page, by striking lines 1 through 4  
39 and inserting <An Act relating to the approval  
40 and imposition of local option taxes and including  
41 applicability provisions.>

42 4. By renumbering as necessary.

**By WATTS of Dallas**

SENATE FILE 296

H-1373

1 Amend Senate File 296, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I

6 HEALTHY IOWA PLAN

7 Section 1. NEW SECTION. 249N.1 Title.

8 This chapter shall be known and may be cited as the  
9 "Healthy Iowa Plan".

10 Sec. 2. NEW SECTION. 249N.2 Definitions.

11 As used in this chapter, unless the context  
12 otherwise requires:

13 1. "Accountable care organization" means a  
14 risk-bearing, integrated health care organization  
15 characterized by a payment and care delivery model that  
16 ties provider reimbursement to quality metrics and  
17 reductions in the total cost of care for an attributed  
18 population of patients.

19 2. "Affordable Care Act" or "federal Act" means the  
20 federal Patient Protection and Affordable Care Act,  
21 Pub. L. No. 111-148 as amended by the federal Health  
22 Care and Education Reconciliation Act of 2010, Pub. L.  
23 No. 111-152.

24 3. "Clean claim" means a claim submitted by a  
25 healthy Iowa plan provider that may be adjudicated as  
26 paid or denied.

27 4. "Covered benefits" means reimbursable health  
28 care services as specified in section 249N.6.

29 5. "Department" means the department of human  
30 services.

31 6. "Director" means the director of human services.

32 7. "Essential health benefits" means essential  
33 health benefits as defined in section 1302 of the  
34 Affordable Care Act, that include at least the general  
35 categories and the items and services covered within  
36 the categories of ambulatory patient services;  
37 emergency services; hospitalization; maternity and  
38 newborn care; mental health and substance use disorder  
39 services, including behavioral health treatment;  
40 prescription drugs; rehabilitative and habilitative  
41 services and devices; laboratory services; preventive  
42 and wellness services and chronic disease management;  
43 and pediatric services, including oral and vision care.  
44 8. "Federal approval" means approval by the centers  
45 for Medicare and Medicaid services of the United States  
46 department of health and human services.

47 9. "Federal poverty level" means the most recently  
48 revised poverty income guidelines published by the  
49 United States department of health and human services.

50 10. "Full benefits recipient" means an adult who is

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1 eligible for full medical assistance benefits pursuant  
2 to chapter 249A under any category of eligibility.  
3 11. "Healthy Iowa plan" or "plan" means the healthy  
4 Iowa plan established under this chapter.  
5 12. "Healthy Iowa plan provider" means any provider  
6 enrolled in the medical assistance program or any  
7 participating accountable care organization.  
8 13. "Healthy Iowa plan provider network" means the  
9 health care delivery network approved by the department  
10 for healthy Iowa plan members.  
11 14. "Medical assistance program" or "Medicaid" means  
12 the program paying all or part of the costs of care and  
13 services provided to an individual pursuant to chapter  
14 249A and Tit. XIX of the federal Social Security Act.  
15 15. "Medicare" means the federal Medicare program  
16 established pursuant to Tit. XVIII of the federal  
17 Social Security Act.  
18 16. "Member" means an individual who meets the  
19 eligibility requirements of section 249N.5 and is  
20 enrolled in the healthy Iowa plan.  
21 17. "My health rewards account" means an account  
22 established by the department pursuant to section  
23 249N.9 on behalf of a member to contain contributions  
24 from the member, financial incentives earned by the  
25 member, and other payments made by the plan, to be used  
26 by the member for payment of required contributions,  
27 cost-sharing, and health improvements.  
28 18. "Participating accountable care organization"  
29 means an accountable care organization approved by the  
30 department to participate in the healthy Iowa plan  
31 provider network.  
32 19. "Preventive care services" means care that is  
33 provided to an individual to promote health, prevent  
34 disease, or diagnose disease.  
35 20. "Primary medical provider" means the primary  
36 care provider chosen by a member or to whom a member  
37 is assigned to provide and manage the member's primary  
38 care and to provide referrals, as necessary and  
39 required by the healthy Iowa plan, to other healthy  
40 Iowa plan providers.  
41 21. "Value-based reimbursement" means a payment  
42 methodology that links provider reimbursement to  
43 improved performance by health care providers by  
44 holding health care providers accountable for both the  
45 cost and quality of care provided.  
46 Sec. 3. NEW SECTION. 249N.3 Purpose ----  
47 establishment of healthy Iowa plan.  
48 1. The purpose of this chapter is to establish and  
49 administer a healthy Iowa plan to promote increased  
50 access to health care, quality health care outcomes,

1 and the use of personal responsibility mechanisms that  
2 encourage individuals with incomes at or below one  
3 hundred percent of the federal poverty level to be  
4 cost-conscious consumers of health care and to exhibit  
5 healthy behaviors.

6 2. The healthy Iowa plan is established within the  
7 medical assistance program and shall be administered by  
8 the department. Except as otherwise specified in this  
9 chapter, the rules applicable to the medical assistance  
10 program pursuant to chapter 249A shall be applicable  
11 to the healthy Iowa plan.

12 3. The department may contract with a third-party  
13 administrator to provide eligibility determination  
14 support, and to administer enrollment, member  
15 outreach, my health rewards account services, and other  
16 components of the healthy Iowa plan.

17 Sec. 4. NEW SECTION. 249N.4 Federal financial  
18 participation ---- limitations of program.

19 1. This chapter shall be implemented only to the  
20 extent that federal matching funds are available for  
21 nonfederal expenditures under this chapter. Except as  
22 otherwise provided in section 249N.11, the department  
23 shall not expend funds under this chapter, including  
24 but not limited to expenditures for reimbursement of  
25 providers and program administration, if appropriated  
26 nonfederal funds are not matched by federal financial  
27 participation.

28 2. Enrollment in the healthy Iowa plan may be  
29 limited, closed, or reduced and the scope and duration  
30 of services provided under the healthy Iowa plan may  
31 be limited, reduced, or terminated if the department  
32 determines that federal financial participation or  
33 appropriated nonfederal funds will not be available to  
34 pay for existing or additional enrollment costs.

35 3. The provisions of this chapter shall not be  
36 construed, are not intended as, and shall not imply a  
37 grant of entitlement to services for individuals who  
38 are eligible for covered benefits under this chapter  
39 or for utilization of services that do not exist or  
40 are not otherwise available under this chapter. Any  
41 state obligation to provide covered benefits pursuant  
42 to this chapter is limited to the extent of the funds  
43 appropriated or distributed for the purposes of this  
44 chapter.

45 4. The provisions of this chapter shall not be  
46 construed and are not intended to affect the provision  
47 of services to medical assistance program recipients  
48 existing on January 1, 2014.

49 Sec. 5. NEW SECTION. 249N.5 Healthy Iowa plan ----  
50 eligibility.

1     1. Except as otherwise provided in this chapter,  
2 an individual nineteen through sixty-four years of age  
3 shall be eligible for covered benefits specified in  
4 this chapter when provided through the healthy Iowa  
5 plan provider network as described in this chapter, if  
6 the individual meets all of the following conditions:  
7     a. The individual meets the citizenship or alienage  
8 requirements of the medical assistance program, is a  
9 resident of Iowa, and provides a social security number  
10 upon application for the plan.  
11     b. The individual has household income at or below  
12 one hundred percent of the federal poverty level.  
13 Household income shall be determined using the modified  
14 adjusted gross income methodology pursuant to section  
15 2002 of the Affordable Care Act.  
16     c. The individual fulfills all other conditions  
17 of participation in the healthy Iowa plan, including  
18 member financial participation pursuant to section  
19 249N.8.  
20     2. The following individuals are not eligible for  
21 the healthy Iowa plan:  
22     a. An individual eligible as a full benefits  
23 recipient under the medical assistance program.  
24     b. An individual who is entitled to or enrolled  
25 for Medicare benefits under part A, or is enrolled for  
26 Medicare benefits under part B, of Tit. XVIII of the  
27 federal Social Security Act.  
28     c. An individual who is pregnant and otherwise  
29 eligible for the medical assistance program pursuant to  
30 section 249A.3.  
31     d. An individual who has access to affordable  
32 employer-sponsored health care coverage, as defined by  
33 rule of the department to align with rules adopted by  
34 the federal internal revenue service under the federal  
35 Affordable Care Act.  
36     3. a. Each applicant for the healthy Iowa  
37 plan shall provide to the department all insurance  
38 information required by the health insurance premium  
39 payment program in accordance with rules adopted by the  
40 department.  
41     b. The department may elect to pay the  
42 cost of premiums for applicants with access  
43 to employer-sponsored health care coverage if  
44 the department determines such payment to be  
45 cost-effective.  
46     c. Eligibility for the healthy Iowa plan is a  
47 qualifying event under the federal Health Insurance  
48 Portability and Accountability Act of 1996, Pub. L. No.  
49 104-191.  
50     d. If premium payment is provided under this



1 subsection for employer-sponsored health care coverage,  
2 the healthy Iowa plan shall supplement such coverage  
3 as necessary to provide the covered benefits specified  
4 under section 249N.6.

5 4. The department shall implement the healthy Iowa  
6 plan in a manner that ensures that the healthy Iowa  
7 plan is the payor of last resort.

8 5. A member is eligible for coverage effective  
9 the first day of the month following the month of  
10 application for enrollment.

11 6. Following initial enrollment, a member is  
12 eligible for covered benefits for twelve months,  
13 subject to program termination and other limitations  
14 otherwise specified in this chapter. The department  
15 shall review the member's eligibility on at least an  
16 annual basis.

17 Sec. 6. NEW SECTION. 249N.6 Healthy Iowa plan ----  
18 covered benefits.

19 Members shall receive coverage for benefits pursuant  
20 to 42 U.S.C. { 1396u-7(b)(1)(B), adjusted as necessary  
21 to provide the essential health benefits required  
22 pursuant to section 1302 of the federal Act, and  
23 including habilitation services consistent with the  
24 state medical assistance program section 1915I waiver.

25 Sec. 7. NEW SECTION. 249N.7 Healthy Iowa plan  
26 provider network.

27 1. The department shall develop a regionalized  
28 healthy Iowa plan provider network statewide.

29 2. The healthy Iowa plan provider network shall  
30 include all providers enrolled in the medical  
31 assistance program and participating accountable care  
32 organizations. Reimbursement under this chapter shall  
33 only be made to such healthy Iowa plan providers for  
34 covered benefits.

35 3. a. Upon enrollment, a member shall choose a  
36 primary medical provider within the healthy Iowa plan  
37 provider network.

38 b. If the member does not choose a primary medical  
39 provider, the department shall assign the member to  
40 a primary medical provider in accordance with the  
41 mandatory enrollment provisions specified in rules  
42 adopted by the department pursuant to chapter 249A  
43 and in accordance with quality data available to the  
44 department.

45 c. The department shall develop a mechanism for  
46 primary medical providers and participating accountable  
47 care organizations within a region to jointly  
48 facilitate member care coordination.

49 4. a. The healthy Iowa plan provider network shall  
50 include at least one participating accountable care



1 organization per region with which the department shall  
2 contract to ensure the coordination and management  
3 of the health of the members within the region, to  
4 produce improved health care quality, and to control  
5 overall cost. The department shall contract with the  
6 acute care teaching hospital located in a county with  
7 a population over three hundred fifty thousand to act  
8 as a participating accountable care organization within  
9 the region specified by the department.

10 b. The department shall establish the  
11 qualifications, contracting processes, and  
12 contract terms for a participating accountable care  
13 organization. The department shall also establish  
14 a methodology for attribution of a specified member  
15 population to the participating accountable care  
16 organization.

17 c. A participating accountable care organization  
18 contract shall establish accountability based on  
19 quality performance and total cost of care metrics for  
20 the attributed population. The metrics shall include  
21 but are not limited to risk sharing, including both  
22 shared savings and shared costs, between the state and  
23 the participating accountable care organization.

24 d. The department shall ensure that payments made  
25 to participating accountable care organizations do not  
26 exceed available funds in the healthy Iowa account  
27 created in section 249N.11.

28 e. The participating accountable care organization  
29 shall provide access by members to primary medical  
30 providers within thirty miles or thirty minutes of a  
31 member's residence, unless such access is technically  
32 infeasible.

33 5. To the extent possible, members shall have  
34 a choice of providers within the healthy Iowa plan  
35 provider network, subject to the results of attribution  
36 under this section and subject to all of the following:

37 a. Member choice may be limited by the  
38 participating accountable care organization, with prior  
39 approval of the department, if the member's health  
40 condition would benefit from limiting the member's  
41 choice of a healthy Iowa plan provider to ensure  
42 coordination of services, or due to overutilization of  
43 covered benefits. The participating accountable care  
44 organization shall provide thirty days' notice to the  
45 member prior to limitation of such choice.

46 b. The department may require that access to  
47 services not provided through the participating  
48 accountable care organization be subject to prior  
49 authorization by the participating accountable care  
50 organization, if such prior authorization is projected

1 to improve health care delivery in the region.

2 6. a. A healthy Iowa plan provider shall submit  
3 clean claims within twenty days of the date of  
4 provision of a covered benefit to a member.

5 b. A healthy Iowa plan provider shall be reimbursed  
6 for covered benefits under the healthy Iowa plan  
7 utilizing the same reimbursement methodology as  
8 that applicable to individuals eligible for medical  
9 assistance under section 249A.3, subsection 1.

10 c. Notwithstanding paragraph "b", a participating  
11 accountable care organization under contract with the  
12 department shall be reimbursed utilizing a value-based  
13 reimbursement methodology.

14 7. a. Healthy Iowa plan providers shall exchange  
15 member health information as provided by rule to  
16 facilitate coordination and management of care,  
17 improved health outcomes, and reduction in costs.

18 b. The department shall provide the health care  
19 claims data of attributed members to a member's  
20 participating accountable care organization on a  
21 timeframe established by rule of the department.

22 Sec. 8. NEW SECTION. 249N.8 Member financial  
23 participation.

24 1. Membership in the healthy Iowa plan shall  
25 require payment of a monthly contribution and  
26 cost-sharing amounts, annually, that align with the  
27 cost-sharing limitations requirements for American  
28 health benefit exchanges under the Affordable Care  
29 Act. Copayments under the healthy Iowa plan shall  
30 be applicable only to nonemergency use of a hospital  
31 emergency department. Contribution and cost-sharing  
32 amounts, including an annual deductible, shall be  
33 established by rule of the department.

34 2. a. Even though a member is eligible for  
35 coverage effective the first day of the month following  
36 the month of application for enrollment, claims for  
37 covered benefits shall not be paid until the initial  
38 monthly contribution payment is made by the member.  
39 If the initial monthly contribution payment is made  
40 within sixty days of the eligibility date, claims for  
41 covered benefits are payable from the effective date  
42 of eligibility.

43 b. Timely payment of monthly contributions,  
44 within sixty days of the date the payment is due, is  
45 a condition of membership. A member who does not  
46 make such timely payment is subject to disenrollment  
47 from the plan, following notice from the department.  
48 Following such disenrollment, an individual is not  
49 eligible for reapplication for membership in the plan  
50 for twelve months from the date of disenrollment.

1 c. A member may request a hardship exemption if  
2 a hardship would accrue from imposing payment of the  
3 monthly contribution. Information regarding the  
4 contribution obligation and the hardship exemption,  
5 including the process by which a prospective member may  
6 apply for the hardship exemption, shall be provided to  
7 a prospective member at the time of application for  
8 enrollment.

9 3. Any required member contributions or  
10 cost-sharing that are unpaid are a debt owed the state.  
11 Sec. 9. NEW SECTION. 249N.9 My health rewards  
12 accounts.

13 1. The department shall establish a my health  
14 rewards account for each healthy Iowa plan member.

15 2. The plan shall deposit all of the following in a  
16 member's health rewards account:

17 a. All member contributions collected under section  
18 249N.8.

19 b. Financial incentive payments paid by the plan,  
20 annually, for the member's completion of a health risk  
21 assessment, completion of an annual physical, receipt  
22 of preventive services specified by the plan, or the  
23 entering into by a member of a health responsibility  
24 and self-sufficiency agreement, as specified by rule of  
25 the department.

26 c. A payment paid by the plan upon initial  
27 enrollment and annually thereafter, of an amount that  
28 is the difference between the sum of the required  
29 contributions made by the member plus the financial  
30 incentive amounts paid by the plan, and the total  
31 annual deductible for the member as established by  
32 rule.

33 3. The moneys in a member's account shall only be  
34 distributed from the account and used to improve the  
35 health of the member as specified by rule based on best  
36 practices. Such uses may include but are not limited  
37 to payment for smoking cessation services or nutrition  
38 counseling, or payment of required contributions or  
39 cost-sharing amounts, exclusive of copayments for  
40 nonemergency use of a hospital emergency department.  
41 A member's deductible amount under the plan shall be  
42 debited against the member's account annually.

43 4. If a member demonstrates an established pattern  
44 of failure to pay required contribution or cost-sharing  
45 amounts, or a pattern of inappropriate use of emergency  
46 department or covered benefits, the member may be  
47 subject to forfeiture of the funds in the account,  
48 following notice from the department.

49 5. Any funds remaining in a member's my health  
50 rewards account annually at the end of a twelve-month

1 enrollment period are subject to the following:

2 a. If the member renews enrollment, the funds  
3 shall remain in the account to be used to defray the  
4 costs of the member's contributions and cost-sharing  
5 requirements in the subsequent enrollment period.  
6 However, if the member did not complete the preventive  
7 care services specified by the plan during the prior  
8 enrollment period, any portion of the remaining amount  
9 paid by the plan shall not be used to defray the  
10 costs of the member's contributions or cost-sharing  
11 requirements in the subsequent enrollment period.

12 b. If an individual is no longer eligible for  
13 the plan, does not reenroll in the plan, or is  
14 terminated from the plan for nonpayment of required  
15 contributions or cost-sharing amounts, the plan shall  
16 refund a prorated amount of the member's contributions  
17 as determined by rule of the department, less any  
18 outstanding contributions or cost-sharing owed by the  
19 member, to the individual within sixty days of such  
20 occurrence. Any portion of the remaining amount in the  
21 account paid by the plan shall revert to the healthy  
22 Iowa account.

23 Sec. 10. NEW SECTION. 249N.10 Funding ---- county  
24 and county hospital contributions ---- certified public  
25 expenditures.

26 1. Notwithstanding any provision to the contrary  
27 relating to the taxes levied by a county pursuant to  
28 section 331.424A for which the collection is performed  
29 after January 1, 2014, the county treasurer of each  
30 county shall distribute thirty-seven and eighty-four  
31 hundredths percent of the maximum amount authorized to  
32 be levied and collected pursuant to section 331.424A,  
33 to the treasurer of state for deposit in the healthy  
34 Iowa account created in section 249N.11. One-half  
35 of the total amount specified under this subsection  
36 shall be distributed by each county treasurer to the  
37 treasurer of state by October 15, and one-half of the  
38 total amount shall be distributed to the treasurer of  
39 state by April 15, annually.

40 2. Notwithstanding any provision to the contrary,  
41 for the collection of taxes levied under section 347.7,  
42 for which the collection is performed after January  
43 1, 2014, the county treasurer of a county with a  
44 population over three hundred fifty thousand in which a  
45 publicly owned acute care teaching hospital is located  
46 shall distribute the proceeds collected pursuant to  
47 section 347.7, in a total amount of forty-two million  
48 dollars annually, which would otherwise be distributed  
49 to the county hospital, to the treasurer of state for  
50 deposit in the healthy Iowa account created in section

1 249N.11 as follows:

2 a. The first nineteen million dollars in  
3 collections pursuant to section 347.7, between July  
4 1 and December 31 annually, shall be distributed to  
5 the treasurer of state for deposit in the healthy Iowa  
6 account and collections during this time period in  
7 excess of nineteen million dollars shall be distributed  
8 to the acute care teaching hospital identified in this  
9 subsection. In addition, of the collections during  
10 this time period in excess of nineteen million dollars  
11 received by the acute care teaching hospital, two  
12 million dollars shall be distributed by the acute care  
13 teaching hospital to the treasurer of state for deposit  
14 in the healthy Iowa account in the month of January  
15 following the July 1 through December 31 period.

16 b. The first nineteen million dollars in  
17 collections pursuant to section 347.7, between January  
18 1 and June 30 annually, shall be distributed to the  
19 treasurer of state for deposit in the healthy Iowa  
20 account and collections during this time period in  
21 excess of nineteen million dollars shall be distributed  
22 to the acute care teaching hospital identified in  
23 this subsection. In addition, of the collections  
24 during this time period in excess of nineteen million  
25 dollars received by the acute care teaching hospital,  
26 two million dollars shall be distributed by the acute  
27 care teaching hospital to the treasurer of state for  
28 deposit in the healthy Iowa account in the month of  
29 July following the January 1 through June 30 period.

30 3. In addition to the funding specified in this  
31 section, the university of Iowa hospitals and clinics  
32 shall certify public expenditures in an amount equal to  
33 provide the nonfederal share of total expenditures not  
34 to exceed thirty million dollars annually.

35 Sec. 11. NEW SECTION. 249N.11 Healthy Iowa  
36 account.

37 1. A healthy Iowa account is created in the state  
38 treasury under the authority of the department. Moneys  
39 appropriated from the general fund of the state to the  
40 account, proceeds distributed from county treasurers as  
41 specified in section 249N.10, and moneys from any other  
42 source credited to the account shall be deposited in  
43 the account. Moneys deposited in or credited to the  
44 account are appropriated to the department of human  
45 services to be used for the purposes of the healthy  
46 Iowa plan including administration of the plan and to  
47 provide nonfederal matching funds for the healthy Iowa  
48 plan, as specified in this chapter. An amount shall  
49 be appropriated from the account to the county with a  
50 population over three hundred fifty thousand in which a

1 publicly owned acute care teaching hospital is located,  
2 annually, to offset any difference between the amount  
3 of proceeds required to be distributed by the county  
4 treasurer to the account and the actual amount received  
5 by the hospital in reimbursements through the healthy  
6 Iowa plan in the preceding fiscal year.

7 2. The account shall be separate from the general  
8 fund of the state and shall not be considered part  
9 of the general fund of the state. The moneys in  
10 the account shall not be considered revenue of the  
11 state, but rather shall be funds of the account.  
12 The moneys in the account are not subject to  
13 section 8.33 and shall not be transferred, used,  
14 obligated, appropriated, or otherwise encumbered,  
15 except to provide for the purposes of this chapter.  
16 Notwithstanding section 12C.7, subsection 2, interest  
17 or earnings on moneys deposited in the account shall  
18 be credited to the account.

19 3. The department shall adopt rules pursuant to  
20 chapter 17A to administer the account.

21 Sec. 12. NEW SECTION. 249N.12 Adoption of rules ----  
22 sole-source administration.

23 1. The department shall adopt rules pursuant to  
24 chapter 17A as necessary to administer this chapter.  
25 The department may adopt emergency rules under section  
26 17A.4, subsection 3, and section 17A.5, subsection 2,  
27 paragraph "b", as necessary for the administration  
28 of this chapter and the rules shall become effective  
29 immediately upon filing or on a later effective date  
30 specified in the rules, unless the effective date is  
31 delayed by the administrative rules review committee.  
32 Any rules adopted in accordance with this section  
33 shall not take effect before the rules are reviewed  
34 by the administrative rules review committee. The  
35 delay authority provided to the administrative rules  
36 review committee under section 17A.4, subsection 7, and  
37 section 17A.8, subsection 9, shall be applicable to a  
38 delay imposed under this section, notwithstanding a  
39 provision in those sections making them inapplicable  
40 to section 17A.5, subsection 2, paragraph "b". Any  
41 rules adopted in accordance with the provisions of this  
42 section shall also be published as notice of intended  
43 action as provided in section 17A.4.

44 2. Notwithstanding section 8.47 or any other  
45 provision of law to the contrary, the department may  
46 utilize a sole-source approach to administer this  
47 chapter.

48 Sec. 13. Section 249J.26, subsection 2, Code 2013,  
49 is amended to read as follows:

50 2. This chapter is repealed ~~October~~ December 31,



1 2013.

2 Sec. 14. HEALTHY IOWA ACCOUNT ---- APPROPRIATION FROM  
3 GENERAL FUND ---- FY 2013-2014. There is appropriated  
4 from the general fund of the state to the department of  
5 human services for the fiscal year beginning July 1,  
6 2013, and ending June 30, 2014, the following amount  
7 or so much thereof as is necessary for the purposes  
8 designated:

9 For deposit in the healthy Iowa account created in  
10 section 249N.11, as enacted in this division of this  
11 Act, to be used for the purposes of the account:  
12 ..... \$ 23,000,000

13 Sec. 15. MEDICAL ASSISTANCE APPROPRIATION  
14 ---- TRANSFER TO THE HEALTHY IOWA ACCOUNT ---- FY  
15 2013-2014. Of the funds appropriated to the department  
16 of human services from the general fund of the state  
17 for the fiscal year beginning July 1, 2013, and ending  
18 June 30, 2014, for the medical assistance program,  
19 \$35,500,000 is transferred to the healthy Iowa account  
20 created in section 249N.11, as enacted in this division  
21 of this Act, for the purposes of the account.

22 Sec. 16. DIRECTIVE TO DEPARTMENT OF HUMAN  
23 SERVICES. Upon enactment of this division of this  
24 Act, the department of human services shall request  
25 federal approval of a medical assistance section 1115  
26 demonstration waiver to implement this division of this  
27 Act effective January 1, 2014.

28 Sec. 17. EFFECTIVE UPON ENACTMENT AND CONTINGENT  
29 IMPLEMENTATION.

30 1. This division of this Act, being deemed of  
31 immediate importance, takes effect upon enactment.  
32 However, the department of human services shall  
33 implement this division of this Act effective January  
34 1, 2014, contingent and only upon receipt of federal  
35 approval of the waiver request submitted under this  
36 division of this Act.

37 2. Notwithstanding subsection 1, if any portion  
38 of the waiver is denied or if federal approval or  
39 financial participation relative to any portion of the  
40 waiver is denied, the department shall only implement  
41 this division of this Act in accordance with both of  
42 the following:

43 a. To the extent that federal approval is received  
44 and federal financial participation is available.

45 b. To the extent federal approval is not required  
46 and federal participation is not applicable.

47 3. The distributions of taxes levied pursuant  
48 to section 331.424A and distributed by each county  
49 treasurer to the treasurer of state pursuant to  
50 section 249N.10 and the distribution of taxes levied



1 pursuant to section 347.7 and distributed by the county  
2 treasurer of a county with a population over three  
3 hundred fifty thousand in which a publicly owned acute  
4 care teaching hospital is located to the treasurer  
5 of state pursuant to section 249N.10, shall not be  
6 distributed until the department of human services  
7 has received federal approval of the waiver request  
8 submitted under this division of this Act.

9 DIVISION II

10 MEDICAL MALPRACTICE ACTIONS

11 Sec. 18. Section 147.139, Code 2013, is amended to  
12 read as follows:

13 147.139 Expert witness testimony ---- standards.

14 1. If the standard of care given by a physician  
15 and surgeon or an osteopathic physician and surgeon  
16 licensed pursuant to chapter 148, or a dentist licensed  
17 pursuant to chapter 153, is at issue, the court shall  
18 only allow a person to qualify as an expert witness and  
19 to testify on the issue of the appropriate standard of  
20 ~~care if the person's medical or dental qualifications~~  
21 ~~relate directly to the medical problem or problems at~~  
22 ~~issue and the type of treatment administered in the~~  
23 ~~case.~~, breach of the standard of care, or proximate  
24 cause of any damages or injury as a result of said  
25 breach if all of the following qualifications of the  
26 person are established:

27 a. The person is licensed to practice medicine,  
28 osteopathic medicine, or dentistry and in the five  
29 years preceding the allegedly negligent act, was  
30 engaged in the active practice of medicine, osteopathic  
31 medicine, or dentistry, or was a qualified instructor  
32 at an accredited university of medicine and surgery,  
33 osteopathic medicine and surgery, or dentistry.

34 b. The person practices or provides university  
35 instruction in the same or substantially similar  
36 specialty as the defendant.

37 c. If the defendant is board-certified in a  
38 specialty, the person is also certified in that  
39 specialty by a board recognized by the American board  
40 of medical specialties or the American osteopathic  
41 association and is licensed and in good standing in  
42 each state of licensure, and has not had the person's  
43 license revoked or suspended in the past five years.

44 2. A person who is not licensed in this state who  
45 testifies pursuant to this section as an expert against  
46 a defendant, whether in contract or tort arising out  
47 of the provision of or failure to provide care, shall  
48 be deemed to hold a temporary license to practice in  
49 this state for the purpose of providing such testimony  
50 and shall be subject to the authority of the applicable

1 licensing board in this state including but not limited  
2 to section 147.55.

3 Sec. 19. NEW SECTION. 147.140 Malpractice review  
4 panels.

5 1. For the purpose of this section, "health care  
6 provider" means a physician and surgeon, osteopathic  
7 physician and surgeon, dentist, podiatric physician,  
8 optometrist, pharmacist, chiropractor, physician  
9 assistant, advanced registered nurse practitioner, or  
10 nurse licensed pursuant to this chapter, a facility  
11 certified as an ambulatory surgical center under the  
12 federal Medicare program, a hospital licensed pursuant  
13 to chapter 135B, or a health care facility licensed  
14 pursuant to chapter 135C.

15 2. a. Immediately after the filing of any action  
16 for personal injury or wrongful death against any  
17 health care provider based upon the alleged negligence  
18 of the licensee in the practice of that profession  
19 or occupation, or upon the alleged negligence of a  
20 facility certified as an ambulatory surgical center  
21 under the federal Medicare program, hospital, or  
22 health care facility in patient care and the answer  
23 thereto by all named defendants, the chief judge of  
24 the judicial district within which the action is filed  
25 shall select a person pursuant to subsection 4 to serve  
26 as chairperson of a malpractice review panel to review  
27 the validity of the action.

28 b. Upon the selection of the chairperson, all legal  
29 proceedings in the malpractice action shall be stayed  
30 until thirty days after the malpractice review panel  
31 issues its findings under subsection 13.

32 3. a. The chairperson selected pursuant to  
33 subsection 2 shall serve as a nonvoting member of the  
34 malpractice review panel.

35 b. The chairperson shall select the members of the  
36 malpractice review panel pursuant to subsection 6.

37 4. a. All of the following persons shall be  
38 eligible to serve on a review panel:

39 (1) Retired judges, and senior judges and retired  
40 senior judges as defined in section 602.9202.

41 (2) Health care providers and attorneys recommended  
42 by their respective professions to serve on malpractice  
43 review panels pursuant to this section. As a condition  
44 of licensure as a health care provider or as an  
45 attorney in this state, a health care provider or  
46 attorney selected to serve on a malpractice review  
47 panel shall be required to serve if so selected.

48 (3) Residents of this state who are neither  
49 attorneys nor health care providers.

50 b. For purposes of selecting members of a

1 malpractice review panel, the clerk of the supreme  
2 court shall maintain a list of persons identified in  
3 paragraph "a", subparagraphs (1) and (2). Persons  
4 identified in paragraph "a", subparagraph (3), shall be  
5 selected from a current jury pool.

6 5. a. The chairperson of the malpractice review  
7 panel shall be compensated. If the chairperson is  
8 receiving compensation for the chairperson's service  
9 on the review panel pursuant to section 602.1612, the  
10 chairperson shall not receive additional compensation  
11 for serving on the review panel.

12 b. A resident of this state who is neither an  
13 attorney nor a health care provider who is selected as  
14 a member of a review panel shall receive fifty dollars  
15 per day for participating in hearings and deliberations  
16 relating to service on the review panel.

17 c. All members of a review panel shall be  
18 reimbursed for travel expenses.

19 6. a. Within ten days of receipt of the  
20 notification of selection as chairperson of the  
21 malpractice review panel, the chairperson shall select  
22 the following persons to serve as members of the  
23 malpractice review panel for the particular malpractice  
24 action as follows:

25 (1) An attorney licensed to practice law in this  
26 state.

27 (2) A health care provider licensed in this state.

28 (3) A resident of this state who is neither an  
29 attorney nor a health care provider.

30 b. A person who is not referred to in paragraph "a"  
31 may be selected to serve on the review panel if agreed  
32 to by all parties to the malpractice action.

33 7. a. Within thirty days of convening the  
34 malpractice review panel, a party to the proceedings  
35 shall produce to all other parties all medical and  
36 health care provider records within the possession  
37 or control of the party pertaining to the plaintiff  
38 regardless of whether the party believes such records  
39 are relevant to the proceedings.

40 b. The chairperson may permit reasonable discovery,  
41 and if so allowed, shall determine a timetable for any  
42 additional discovery prior to the hearing before the  
43 malpractice review panel. Depositions of persons other  
44 than the parties and experts designated by the parties  
45 shall not be taken except for good cause shown by the  
46 party requesting the deposition.

47 c. The chairperson shall have the power to issue  
48 subpoenas for both discovery and compulsion of  
49 testimony in the same manner and method as the district  
50 court.

1 d. The chairperson shall also determine a date by  
2 which the plaintiff must submit a certificate-of-merit  
3 affidavit as provided in subsection 8 for each  
4 defendant the plaintiff intends to call as a witness to  
5 testify with respect to the issues of the applicable  
6 standard of care, breach of the applicable standard of  
7 care, or causation.

8 8. a. A plaintiff shall submit a separate  
9 certificate-of-merit affidavit for each defendant named  
10 in the malpractice action. The affidavit submitted  
11 for each defendant must be signed by an expert. The  
12 affidavit must certify under the oath of the expert all  
13 of the following:

14 (1) The expert's statement of familiarity with the  
15 applicable standard of care.

16 (2) The expert's statement that the standard of  
17 care was breached by the health care provider named as  
18 the defendant.

19 (3) The expert's statement of the actions that the  
20 health care provider failed to take or should have  
21 taken to comply with the standard of care.

22 (4) The expert's statement of the manner by which  
23 the breach of the standard of care was the cause of the  
24 injury alleged in the petition.

25 b. A single expert need not certify all of the  
26 elements in paragraph "a" in regard to one particular  
27 defendant, however, each of the elements must be  
28 certified by an expert in regard to each defendant.

29 c. If a plaintiff fails to submit a  
30 certificate-of-merit affidavit within the time  
31 period determined by the chairperson, the chairperson  
32 shall file a motion with the district court to dismiss  
33 the plaintiff's malpractice action with regard to the  
34 defendant for which the certificate-of-merit affidavit  
35 was not submitted. The district court shall then  
36 dismiss with prejudice the plaintiff's malpractice  
37 action against the defendant.

38 9. a. Within six months from the date all members  
39 of the malpractice review panel were appointed, unless  
40 the time period has been extended by the chairperson  
41 for good cause shown by a requesting party, the  
42 chairperson of the review panel shall hold a hearing of  
43 the full review panel to review the plaintiff's claims  
44 and the defendant's defenses. In no event shall any  
45 extension cause the hearing to occur more than one year  
46 after all review panel members were appointed.

47 b. Except as otherwise provided in this subsection,  
48 one combined hearing or hearings shall be held for  
49 all claims under this section arising out of the  
50 same malpractice action. If the malpractice action

1 includes more than one defendant, the parties may,  
2 upon agreement of all parties, require that separate  
3 hearings be held for each defendant or group of  
4 defendants. The chairperson may, for good cause shown,  
5 order separate hearings.

6 10. At the hearing before the malpractice review  
7 panel, all parties who are natural persons shall be  
8 personally present and all entity parties shall have  
9 a representative present with responsibility for the  
10 subject matter that is the subject of the malpractice  
11 action. If a plaintiff fails to appear at the hearing,  
12 the chairperson shall file a motion with the district  
13 court to dismiss the plaintiff's action with prejudice,  
14 and the court shall grant the motion. If the defendant  
15 fails to appear at the hearing, the defendant shall  
16 be precluded from presenting any evidence or making  
17 any presentation before the malpractice review panel  
18 or at any subsequent trial. The absence of a party  
19 or an entity's representative may be excused by the  
20 chairperson for good cause shown.

21 11. At the hearing before the malpractice review  
22 panel, the plaintiff shall present the plaintiff's  
23 case to the review panel and each defendant shall  
24 present the defendant's case in response to the  
25 plaintiff's presentation. Wide latitude shall be  
26 afforded the parties in the conduct of the hearing  
27 including but not limited to the right of examination  
28 and cross-examination of witnesses by attorneys for  
29 the parties. Depositions allowed to be taken under  
30 subsection 7 shall be admissible regardless of whether  
31 the person deposed is available at the hearing. The  
32 Iowa rules of civil procedure shall not apply at  
33 the hearing, and evidence may be admitted if such  
34 evidence is evidence upon which reasonable persons are  
35 accustomed to rely. The chairperson shall make all  
36 procedural rulings and such rulings shall be binding  
37 and final. The hearing shall be recorded either  
38 electronically or by a court reporter. The cost of  
39 recording the hearing shall be equally divided among  
40 the parties. The record of the proceedings and all  
41 documents presented as exhibits shall be confidential  
42 except in the following circumstances:

43 a. Any testimony or writings made under oath may  
44 be used in subsequent proceedings for purposes of  
45 impeachment.

46 b. The party who made a statement or presented  
47 evidence agrees to the submission, use, or disclosure  
48 of the statement or evidence.

49 c. The parties unanimously agree upon disclosure of  
50 any part of the record or proceedings.

12. Upon the conclusion of the hearing, the malpractice review panel may request from any party additional evidence, records, or other information to be submitted in writing or at a continuation of the hearing. A continued hearing shall be held as soon as possible. A continued hearing shall be attended by the same review panel members and parties who attended the initial hearing, unless otherwise agreed to by all parties.

13. The malpractice review panel shall issue its findings in writing within thirty days of submission of all presentations and evidence.

a. The review panel's findings shall contain answers to all of the following questions:

(1) Whether the acts or omissions complained of constitute a deviation from the applicable standard of care by the health care provider charged with such care.

(2) If the acts or omissions complained of are found to have constituted a deviation from the applicable standard of care, whether the acts or omissions complained of proximately caused the injury complained of.

(3) If negligence on the part of a health care provider is found, whether any negligence on the part of the plaintiff was equal to or greater than the negligence of the health care provider.

b. The review panel shall make any affirmative finding by a preponderance of the evidence.

c. With regard to each question, the review panel's findings with regard to each question shall be determined by a majority of the panel members. The determination of the answer to any question by any individual review panel member shall be confidential and shall not be disclosed to any party or other member of the public. The findings shall reflect the number of review panel members making a determination of an answer in the affirmative and in making a determination of an answer in the negative. The findings, including the cumulative determinations in the affirmative and the negative for each answer, shall be signed by all review panel members, with each review panel member attesting that the written findings accurately reflect the determinations made.

d. The chairperson of the review panel shall serve the findings upon the parties within seven days of the date of the findings. The review panel's written findings shall be preserved until thirty days after final judgment or the action is finally resolved after which time such findings shall be destroyed. All



1 medical and health care provider records shall be  
2 returned to the party providing them to the review  
3 panel.

4 e. The deliberations and discussion of the review  
5 panel shall be privileged and confidential and a review  
6 panel member shall not be asked or compelled to testify  
7 at a later proceeding concerning the deliberations,  
8 discussions, or findings expressed during the review  
9 panel's deliberations, except as such deliberation,  
10 discussion, or findings may be required to prove an  
11 allegation of intentional fraud. All review panel  
12 members and the chairperson shall be immune from  
13 liability as a result of participation in or serving  
14 as a review panel member, except for instances of  
15 intentional fraud by a panel member.

16 14. The effect of the malpractice review panel's  
17 findings shall be as follows:

18 a. If the review panel's findings are unanimous and  
19 unfavorable to the plaintiff in such a manner as would  
20 not permit recovery by the plaintiff if the answers  
21 were made at trial, all of the following shall apply:

22 (1) The review panel's findings are admissible  
23 in any subsequent court action for professional  
24 negligence against the health care provider accused of  
25 professional negligence by the claimant based upon the  
26 same set of facts which were considered reviewed by the  
27 review panel.

28 (2) If the malpractice action proceeds and results  
29 in a verdict and judgment for the defendant, the  
30 plaintiff shall be required to pay all expert witness  
31 fees and court costs incurred by the defendant.

32 (3) If the malpractice action proceeds and results  
33 in a verdict and judgment for the plaintiff, any  
34 noneconomic damages awarded to the plaintiff shall not  
35 exceed two hundred fifty thousand dollars.

36 b. If the review panel's findings are unanimous and  
37 unfavorable to the defendant, in such a manner as would  
38 permit the plaintiff to recover if the defendant's  
39 answers were made at trial, all of the following shall  
40 apply:

41 (1) The review panel's findings are admissible  
42 in any subsequent court action for professional  
43 negligence against the health care provider accused of  
44 professional negligence by the claimant based upon the  
45 same set of facts which were considered reviewed by the  
46 review panel.

47 (2) The defendant shall promptly admit liability or  
48 enter into negotiations to pay the plaintiff's claim  
49 for damages.

50 (3) If liability is admitted, the claim may be



1 resubmitted to the review panel upon agreement of the  
2 plaintiff and the defendant for a determination of  
3 damages. Any determination of damages by the review  
4 panel shall be admissible in any subsequent malpractice  
5 action.

6 (4) If liability is not admitted and the parties  
7 are not able to resolve the claim through settlement  
8 negotiations within thirty days after service of the  
9 review panel's findings, the plaintiff may proceed with  
10 the malpractice action. If the plaintiff obtains a  
11 verdict or judgment in excess of the plaintiff's last  
12 formal demand in the settlement negotiations following  
13 the review panel's findings, the defendant shall be  
14 required to pay all expert witness fees and court costs  
15 incurred by the plaintiff.

16 15. a. Upon the selection of all members of the  
17 malpractice review panel, each party shall pay to the  
18 clerk of the district court a filing fee of two hundred  
19 fifty dollars.

20 b. Any party may apply to the chairperson of the  
21 malpractice review panel for a waiver of the filing  
22 fee. The chairperson shall grant the waiver if the  
23 party is indigent.

24 c. Any party who is or was an employee of another  
25 party at the time of the claimed injury and was acting  
26 in the course and scope of employment with such other  
27 party shall not be required to pay a filing fee.

28 Sec. 20. NEW SECTION. 622.31A Evidence-based  
29 medical practice guidelines ---- affirmative defense.

30 1. For purposes of this section:

31 a. "Evidence-based medical practice guidelines"  
32 means voluntary medical practice parameters or  
33 protocols established and released through a recognized  
34 physician consensus-building organization approved  
35 by the United States department of health and human  
36 services, through the American medical association's  
37 physician consortium for performance improvement or  
38 similar activity, or through a recognized national  
39 medical specialty society.

40 b. "Health care provider" means a physician and  
41 surgeon, osteopathic physician and surgeon, physician  
42 assistant, or advanced registered nurse practitioner.

43 2. In any action for personal injury or wrongful  
44 death against any health care provider based upon the  
45 alleged negligence of the health care provider in  
46 patient care, the health care provider may assert,  
47 as an affirmative defense, that the health care  
48 provider complied with evidence-based medical practice  
49 guidelines in the diagnosis and treatment of a patient.

50 3. A judge may admit evidence-based medical

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1 practice guidelines into evidence if introduced only by  
2 a health care provider or by the health care provider's  
3 employer and if the health care provider or the health  
4 care provider's employer establishes foundational  
5 evidence in support of the evidence-based medical  
6 practice guidelines as well as evidence that the health  
7 care provider complied with the guidelines. Evidence  
8 of departure from an evidence-based medical practice  
9 guideline is admissible only on the issue of whether  
10 the health care provider is entitled to assert an  
11 affirmative defense.

12 4. This section shall not apply to any of the  
13 following:

14 a. A mistaken determination by the health care  
15 provider that the evidence-based medical practice  
16 guideline applied to a particular patient where  
17 such mistake is caused by the health care provider's  
18 negligence or intentional misconduct.

19 b. The health care provider's failure to properly  
20 follow the evidence-based medical practice guideline  
21 where such failure is caused by the health care  
22 provider's negligence or intentional misconduct. There  
23 shall be no presumption of negligence if a health care  
24 provider does not adhere to an evidence-based medical  
25 practice guideline.>

26 2. Title page, by striking lines 1 through 5  
27 and inserting <An Act relating to health care by  
28 establishing the healthy Iowa plan, affecting medical  
29 malpractice actions, making appropriations, providing  
30 remedies, and including effective date provisions.>

COMMITTEE ON APPROPRIATIONS

SODERBERG of Plymouth, Chairperson

H-1373 FILED APRIL 30, 2013

SENATE FILE 296

H-1377

1 Amend the amendment, H-1373, to Senate File 296,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 10, after line 34 by inserting:

5 <4. The distribution of county hospital funds to  
6 the treasurer of state required under this section  
7 shall not be the basis for an increase in the amount  
8 levied and a county hospital shall not thereby increase  
9 the amount levied pursuant to section 347.7.>

10 2. By renumbering as necessary.

By BALTIMORE of Boone

H-1377 FILED APRIL 30, 2013

**SENATE FILE 296**

**H-1380**

1 Amend the amendment, H-1373, to Senate File 296,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 11, line 22, after <administration> by  
5 inserting <-- reports>  
6 2. Page 11, after line 47 by inserting:  
7 <3. The department shall submit all of the  
8 following to the governor and the generally assembly:  
9 a. Biennially, a report of the results of a review,  
10 by county and region, of mental health services  
11 previously funded through taxes levied by counties  
12 pursuant to section 331.424A, that are funded during  
13 the reporting period under the healthy Iowa plan.  
14 b. Annually, a report of the results of a review  
15 of the outcomes and effectiveness of mental health  
16 services provided under the healthy Iowa plan.  
17 c. Annually, an analysis of whether the amount  
18 distributed by each county to the treasurer of  
19 state pursuant to section 249N.10, subsection 1, is  
20 commensurate with the cost of mental health services  
21 being provided under the healthy Iowa plan.>  
22 3. By renumbering as necessary.

By ROGERS of Black Hawk

**H-1380** FILED APRIL 30, 2013

**Senate Amendment to  
House Amendment to  
SENATE FILE 386**

**H-1381**

1 Amend the House amendment, S-3180, to Senate File  
2 386, as passed by the Senate, as follows:  
3 1. Page 2, by striking lines 3 through 38.  
4 2. Page 3, by striking lines 23 through 25.  
5 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

**H-1381** FILED APRIL 30, 2013

**SENATE FILE 442**

**H-1375**

1 Amend the amendment, H-1306, to Senate File 442, as  
2 passed by the Senate, as follows:  
3 1. Page 4, line 14, by striking <139,909,462> and  
4 inserting <82,299,684>  
5 2. Page 4, line 20, by striking <2,635,000> and  
6 inserting <1,550,000>

By WORTHAN of Buena Vista

**H-1375** FILED APRIL 30, 2013

SENATE FILE 446

H-1378

1 Amend Senate File 446, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I

6 DEPARTMENT ON AGING ---- FY 2013-2014

7 Section 1. DEPARTMENT ON AGING. There is  
8 appropriated from the general fund of the state to  
9 the department on aging for the fiscal year beginning  
10 July 1, 2013, and ending June 30, 2014, the following  
11 amount, or so much thereof as is necessary, to be used  
12 for the purposes designated:

13 For aging programs for the department on aging and  
14 area agencies on aging to provide citizens of Iowa who  
15 are 60 years of age and older with case management for  
16 frail elders, Iowa's aging and disabilities resource  
17 center, and other services which may include but are  
18 not limited to adult day services, respite care, chore  
19 services, information and assistance, and material aid,  
20 for information and options counseling for persons with  
21 disabilities who are 18 years of age or older, and  
22 for salaries, support, administration, maintenance,  
23 and miscellaneous purposes, and for not more than the  
24 following full-time equivalent positions:

25 .....	\$ 10,442,086
26 .....	FTEs 35.00

27 1. Funds appropriated in this section may be used  
28 to supplement federal funds under federal regulations.  
29 To receive funds appropriated in this section, a local  
30 area agency on aging shall match the funds with moneys  
31 from other sources according to rules adopted by the  
32 department. Funds appropriated in this section may be  
33 used for elderly services not specifically enumerated  
34 in this section only if approved by an area agency on  
35 aging for provision of the service within the area.

36 2. Of the funds appropriated in this section,  
37 \$279,946 is transferred to the economic development  
38 authority for the Iowa commission on volunteer services  
39 to be used for the retired and senior volunteer  
40 program.

41 3. a. The department on aging shall establish and  
42 enforce procedures relating to expenditure of state and  
43 federal funds by area agencies on aging that require  
44 compliance with both state and federal laws, rules, and  
45 regulations, including but not limited to all of the  
46 following:

47 (1) Requiring that expenditures are incurred only  
48 for goods or services received or performed prior to  
49 the end of the fiscal period designated for use of the  
50 funds.

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1 (2) Prohibiting prepayment for goods or services  
2 not received or performed prior to the end of the  
3 fiscal period designated for use of the funds.

4 (3) Prohibiting the prepayment for goods or  
5 services not defined specifically by good or service,  
6 time period, or recipient.

7 (4) Prohibiting the establishment of accounts from  
8 which future goods or services which are not defined  
9 specifically by good or service, time period, or  
10 recipient, may be purchased.

11 b. The procedures shall provide that if any funds  
12 are expended in a manner that is not in compliance with  
13 the procedures and applicable federal and state laws,  
14 rules, and regulations, and are subsequently subject  
15 to repayment, the area agency on aging expending such  
16 funds in contravention of such procedures, laws, rules  
17 and regulations, not the state, shall be liable for  
18 such repayment.

19 4. Of the funds appropriated in this section,  
20 \$100,000 shall be used to provide for a local long-term  
21 care resident's advocate to administer the certified  
22 volunteer long-term care resident's advocate program  
23 pursuant to section 231.45.

24 DIVISION II

25 DEPARTMENT OF PUBLIC HEALTH ---- FY 2013-2014

26 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is  
27 appropriated from the general fund of the state to  
28 the department of public health for the fiscal year  
29 beginning July 1, 2013, and ending June 30, 2014, the  
30 following amounts, or so much thereof as is necessary,  
31 to be used for the purposes designated:

32 1. ADDICTIVE DISORDERS

33 For reducing the prevalence of use of tobacco,  
34 alcohol, and other drugs, and treating individuals  
35 affected by addictive behaviors, including gambling,  
36 and for not more than the following full-time  
37 equivalent positions:

38 ..... \$ 23,863,690  
39 ..... FTEs 13.00

40 a. (1) Of the funds appropriated in this  
41 subsection, \$3,648,361 shall be used for the tobacco  
42 use prevention and control initiative, including  
43 efforts at the state and local levels, as provided  
44 in chapter 142A. The commission on tobacco use  
45 prevention and control established pursuant to section  
46 142A.3 shall advise the director of public health in  
47 prioritizing funding needs and the allocation of moneys  
48 appropriated for the programs and activities of the  
49 initiative under this subparagraph (1) and shall make  
50 recommendations to the director in the development of

1 budget requests relating to the initiative.

2 (2) (a) Of the funds allocated in this paragraph  
3 "a", \$453,067 is transferred to the alcoholic beverages  
4 division of the department of commerce for enforcement  
5 of tobacco laws, regulations, and ordinances and to  
6 engage in tobacco control activities approved by the  
7 division of tobacco use prevention and control as  
8 specified in the memorandum of understanding entered  
9 into between the divisions.

10 (b) For the fiscal year beginning July 1, 2013, and  
11 ending June 30, 2014, the terms of the memorandum of  
12 understanding, entered into between the division of  
13 tobacco use prevention and control of the department  
14 of public health and the alcoholic beverages division  
15 of the department of commerce, governing compliance  
16 checks conducted to ensure licensed retail tobacco  
17 outlet conformity with tobacco laws, regulations, and  
18 ordinances relating to persons under eighteen years of  
19 age, shall restrict the number of such checks to one  
20 check per retail outlet, and one additional check for  
21 any retail outlet found to be in violation during the  
22 first check.

23 b. Of the funds appropriated in this subsection,  
24 \$20,215,329 shall be used for problem gambling and  
25 substance-related disorder prevention, treatment, and  
26 recovery services, including a 24-hour helpline, public  
27 information resources, professional training, and  
28 program evaluation.

29 (1) Of the funds allocated in this paragraph  
30 "b", \$17,103,715 shall be used for substance-related  
31 disorder prevention and treatment.

32 (a) Of the funds allocated in this subparagraph  
33 (1), \$899,300 shall be used for the public purpose of  
34 a grant program to provide substance-related disorder  
35 prevention programming for children.

36 (i) Of the funds allocated in this subparagraph  
37 division (a), \$427,539 shall be used for grant funding  
38 for organizations that provide programming for  
39 children by utilizing mentors. Programs approved for  
40 such grants shall be certified or will be certified  
41 within six months of receiving the grant award by the  
42 Iowa commission on volunteer services as utilizing  
43 the standards for effective practice for mentoring  
44 programs.

45 (ii) Of the funds allocated in this subparagraph  
46 division (a), \$426,839 shall be used for grant  
47 funding for organizations that provide programming  
48 that includes youth development and leadership. The  
49 programs shall also be recognized as being programs  
50 that are scientifically based with evidence of their

1 effectiveness in reducing substance-related disorders  
2 in children.

3 (iii) The department of public health shall utilize  
4 a request for proposals process to implement the grant  
5 program.

6 (iv) All grant recipients shall participate in a  
7 program evaluation as a requirement for receiving grant  
8 funds.

9 (v) Of the funds allocated in this subparagraph  
10 division (a), up to \$44,922 may be used to administer  
11 substance-related disorder prevention grants and for  
12 program evaluations.

13 (b) Of the funds allocated in this subparagraph  
14 (1), \$272,603 shall be used for culturally competent  
15 substance-related disorder treatment pilot projects.

16 (i) The department shall utilize the amount  
17 allocated in this subparagraph division (b) for at  
18 least three pilot projects to provide culturally  
19 competent substance-related disorder treatment in  
20 various areas of the state. Each pilot project shall  
21 target a particular ethnic minority population. The  
22 populations targeted shall include but are not limited  
23 to African American, Asian, and Latino.

24 (ii) The pilot project requirements shall provide  
25 for documentation or other means to ensure access  
26 to the cultural competence approach used by a pilot  
27 project so that such approach can be replicated and  
28 improved upon in successor programs.

29 (2) Of the funds allocated in this paragraph "b",  
30 up to \$3,111,614 may be used for problem gambling  
31 prevention, treatment, and recovery services.

32 (a) Of the funds allocated in this subparagraph  
33 (2), \$2,573,762 shall be used for problem gambling  
34 prevention and treatment.

35 (b) Of the funds allocated in this subparagraph  
36 (2), up to \$437,852 may be used for a 24-hour helpline,  
37 public information resources, professional training,  
38 and program evaluation.

39 (c) Of the funds allocated in this subparagraph  
40 (2), up to \$100,000 may be used for the licensing of  
41 problem gambling treatment programs.

42 (3) It is the intent of the general assembly that  
43 from the moneys allocated in this paragraph "b",  
44 persons with a dual diagnosis of substance-related  
45 disorder and gambling addiction shall be given priority  
46 in treatment services.

47 c. Notwithstanding any provision of law to the  
48 contrary, to standardize the availability, delivery,  
49 cost of delivery, and accountability of problem  
50 gambling and substance-related disorder treatment



1 services statewide, the department shall continue  
2 implementation of a process to create a system for  
3 delivery of treatment services in accordance with the  
4 requirements specified in 2008 Iowa Acts, chapter  
5 1187, section 3, subsection 4. To ensure the system  
6 provides a continuum of treatment services that best  
7 meets the needs of Iowans, the problem gambling and  
8 substance-related disorder treatment services in any  
9 area may be provided either by a single agency or by  
10 separate agencies submitting a joint proposal.

11 (1) The system for delivery of substance-related  
12 disorder and problem gambling treatment shall include  
13 problem gambling prevention.

14 (2) The system for delivery of substance-related  
15 disorder and problem gambling treatment shall include  
16 substance-related disorder prevention by July 1, 2014.

17 (3) Of the funds allocated in paragraph "b", the  
18 department may use up to \$100,000 for administrative  
19 costs to continue developing and implementing the  
20 process in accordance with this paragraph "c".

21 d. The requirement of section 123.53, subsection  
22 5, is met by the appropriations and allocations made  
23 in this Act for purposes of substance-related disorder  
24 treatment and addictive disorders for the fiscal year  
25 beginning July 1, 2013.

26 e. The department of public health shall work with  
27 all other departments that fund substance-related  
28 disorder prevention and treatment services and all  
29 such departments shall, to the extent necessary,  
30 collectively meet the state maintenance of effort  
31 requirements for expenditures for substance-related  
32 disorder services as required under the federal  
33 substance-related disorder prevention and treatment  
34 block grant.

35 2. HEALTHY CHILDREN AND FAMILIES

36 For promoting the optimum health status for  
37 children, adolescents from birth through 21 years of  
38 age, and families, and for not more than the following  
39 full-time equivalent positions:

40 .....	\$	2,653,559
41 .....	FTEs	10.00

42 a. Of the funds appropriated in this subsection,  
43 not more than \$734,841 shall be used for the healthy  
44 opportunities to experience success (HOPES)-healthy  
45 families Iowa (HFI) program established pursuant to  
46 section 135.106. The funding shall be distributed to  
47 renew the grants that were provided to the grantees  
48 that operated the program during the fiscal year ending  
49 June 30, 2013.

50 b. In order to implement the legislative intent

1 stated in sections 135.106 and 256I.9, that priority  
2 for home visitation program funding be given to  
3 programs using evidence-based or promising models  
4 for home visitation, it is the intent of the general  
5 assembly to phase-in the funding priority in accordance  
6 with 2012 Iowa Acts, chapter 129, section 2, subsection  
7 2, paragraph 0b.

8 c. Of the funds appropriated in this subsection,  
9 \$327,887 shall be used to continue to address the  
10 healthy mental development of children from birth  
11 through five years of age through local evidence-based  
12 strategies that engage both the public and private  
13 sectors in promoting healthy development, prevention,  
14 and treatment for children.

15 d. Of the funds appropriated in this subsection,  
16 \$31,597 shall be distributed to a statewide dental  
17 carrier to provide funds to continue the donated dental  
18 services program patterned after the projects developed  
19 by the lifeline network to provide dental services to  
20 indigent elderly and disabled individuals.

21 e. Of the funds appropriated in this subsection,  
22 \$111,995 shall be used for childhood obesity  
23 prevention.

24 f. Of the funds appropriated in this subsection,  
25 \$162,768 shall be used to provide audiological services  
26 and hearing aids for children. The department may  
27 enter into a contract to administer this paragraph.

28 g. Of the funds appropriated in this subsection,  
29 \$25,000 is transferred to the university of Iowa  
30 college of dentistry for provision of primary dental  
31 services to children. State funds shall be matched  
32 on a dollar-for-dollar basis. The university of Iowa  
33 college of dentistry shall coordinate efforts with the  
34 department of public health, bureau of oral and health  
35 delivery systems, to provide dental care to underserved  
36 populations throughout the state.

37 h. Of the funds appropriated in this subsection,  
38 \$50,000 shall be used to address youth suicide  
39 prevention.

40 3. CHRONIC CONDITIONS

41 For serving individuals identified as having chronic  
42 conditions or special health care needs, and for not  
43 more than the following full-time equivalent positions:

44 .....	\$	4,155,429
45 .....	FTEs	4.00

46 a. Of the funds appropriated in this subsection,  
47 \$159,932 shall be used for grants to individual  
48 patients who have phenylketonuria (PKU) to assist with  
49 the costs of necessary special foods.

50 b. Of the funds appropriated in this subsection,

1 \$481,644 is allocated for continuation of the contracts  
2 for resource facilitator services in accordance with  
3 section 135.22B, subsection 9, and for brain injury  
4 training services and recruiting of service providers  
5 to increase the capacity within this state to address  
6 the needs of individuals with brain injuries and such  
7 individuals' families.

8 c. Of the funds appropriated in this subsection,  
9 \$547,982 shall be used as additional funding to  
10 leverage federal funding through the federal Ryan  
11 White Care Act, Tit. II, AIDS drug assistance program  
12 supplemental drug treatment grants.

13 d. Of the funds appropriated in this subsection,  
14 \$99,823 shall be used for the public purpose of  
15 providing a grant to an existing national-affiliated  
16 organization to provide education, client-centered  
17 programs, and client and family support for people  
18 living with epilepsy and their families.

19 e. Of the funds appropriated in this subsection,  
20 \$785,114 shall be used for child health specialty  
21 clinics.

22 f. Of the funds appropriated in this subsection,  
23 \$200,000 shall be used by the regional autism  
24 assistance program established pursuant to section  
25 256.35, and administered by the child health specialty  
26 clinic located at the university of Iowa hospitals  
27 and clinics. The funds shall be used to enhance  
28 interagency collaboration and coordination of  
29 educational, medical, and other human services for  
30 persons with autism, their families, and providers of  
31 services, including delivering regionalized services of  
32 care coordination, family navigation, and integration  
33 of services through the statewide system of regional  
34 child health specialty clinics and fulfilling other  
35 requirements as specified in chapter 225D, creating the  
36 autism support program, as enacted in this Act. The  
37 university of Iowa shall not receive funds allocated  
38 under this paragraph for indirect costs associated with  
39 the regional autism assistance program.

40 g. Of the funds appropriated in this subsection,  
41 \$470,993 shall be used for the comprehensive cancer  
42 control program to reduce the burden of cancer in  
43 Iowa through prevention, early detection, effective  
44 treatment, and ensuring quality of life. Of the funds  
45 allocated in this lettered paragraph, \$150,000 shall  
46 be used to support a melanoma research symposium,  
47 a melanoma biorepository and registry, basic and  
48 translational melanoma research, and clinical trials.

49 h. Of the funds appropriated in this subsection,  
50 \$126,450 shall be used for cervical and colon cancer

1 screening, and \$500,000 shall be used to enhance the  
2 capacity of the cervical cancer screening program to  
3 include provision of recommended prevention and early  
4 detection measures to a broader range of low-income  
5 women.

6 i. Of the funds appropriated in this subsection,  
7 \$526,695 shall be used for the center for congenital  
8 and inherited disorders.

9 j. Of the funds appropriated in this subsection,  
10 \$129,411 shall be used for the prescription drug  
11 donation repository program created in chapter 135M.

12 4. COMMUNITY CAPACITY

13 For strengthening the health care delivery system at  
14 the local level, and for not more than the following  
15 full-time equivalent positions:

16 .....	\$	4,685,154
17 .....	FTEs	14.00

18 a. Of the funds appropriated in this subsection,  
19 \$99,414 is allocated for a child vision screening  
20 program implemented through the university of Iowa  
21 hospitals and clinics in collaboration with early  
22 childhood Iowa areas. The program shall submit a  
23 report to the individuals identified in this Act  
24 for submission of reports regarding the use of funds  
25 allocated under this paragraph "a". The report shall  
26 include the objectives and results for the year of  
27 the program's implementation including the target  
28 population and how the funds allocated assisted the  
29 program in meeting the objectives; the number, age, and  
30 location within the state of individuals served; the  
31 type of services provided to the individuals served;  
32 the distribution of funds based on service provided;  
33 and the continuing needs of the program.

34 b. Of the funds appropriated in this subsection,  
35 \$110,656 is allocated for continuation of an initiative  
36 implemented at the university of Iowa and \$99,904 is  
37 allocated for continuation of an initiative at the  
38 state mental health institute at Cherokee to expand  
39 and improve the workforce engaged in mental health  
40 treatment and services. The initiatives shall receive  
41 input from the university of Iowa, the department of  
42 human services, the department of public health, and  
43 the mental health and disability services commission to  
44 address the focus of the initiatives.

45 c. Of the funds appropriated in this subsection,  
46 \$1,164,628 shall be used for essential public health  
47 services that promote healthy aging throughout the  
48 lifespan, contracted through a formula for local boards  
49 of health, to enhance health promotion and disease  
50 prevention services.

1 d. Of the funds appropriated in this section,  
2 \$99,286 shall be deposited in the governmental public  
3 health system fund created in section 135A.8 to be used  
4 for the purposes of the fund.

5 e. Of the funds appropriated in this subsection,  
6 \$105,448 shall be used for the mental health  
7 professional shortage area program implemented pursuant  
8 to section 135.180.

9 f. Of the funds appropriated in this subsection,  
10 \$50,000 shall be used for a grant to a statewide  
11 association of psychologists that is affiliated  
12 with the American psychological association to be  
13 used for continuation of a program to rotate intern  
14 psychologists in placements in urban and rural mental  
15 health professional shortage areas, as defined in  
16 section 135.180.

17 g. Of the funds appropriated in this subsection,  
18 the following amounts shall be allocated to the Iowa  
19 collaborative safety net provider network established  
20 pursuant to section 135.153 to be used for the purposes  
21 designated. The following amounts allocated under  
22 this lettered paragraph shall be distributed to  
23 the specified provider and shall not be reduced for  
24 administrative or other costs prior to distribution:

25 (1) For distribution to the Iowa primary care  
26 association to be used to establish a grant program  
27 for training sexual assault response team (SART)  
28 members, including representatives of law enforcement,  
29 victim advocates, prosecutors, and certified medical  
30 personnel:

31 ..... \$ 50,000

32 (2) For distribution to federally qualified health  
33 centers for necessary infrastructure, statewide  
34 coordination, provider recruitment, service delivery,  
35 and provision of assistance to patients in determining  
36 an appropriate medical home:

37 ..... \$ 75,000

38 (3) For distribution to the local boards of health  
39 that provide direct services for pilot programs in  
40 three counties to assist patients in determining an  
41 appropriate medical home:

42 ..... \$ 77,153

43 (4) For distribution to maternal and child health  
44 centers for pilot programs in three counties to assist  
45 patients in determining an appropriate medical home:

46 ..... \$ 95,126

47 (5) For distribution to free clinics for necessary  
48 infrastructure, statewide coordination, provider  
49 recruitment, service delivery, and provision of  
50 assistance to patients in determining an appropriate

1 medical home:  
2 ..... \$ 273,322  
3 (6) For distribution to rural health clinics for  
4 necessary infrastructure, statewide coordination,  
5 provider recruitment, service delivery, and provision  
6 of assistance to patients in determining an appropriate  
7 medical home:  
8 ..... \$ 141,544  
9 (7) For continuation of the safety net provider  
10 patient access to specialty health care initiative as  
11 described in 2007 Iowa Acts, chapter 218, section 109:  
12 ..... \$ 308,474  
13 (8) For continuation of the pharmaceutical  
14 infrastructure for safety net providers as described in  
15 2007 Iowa Acts, chapter 218, section 108:  
16 ..... \$ 318,415  
17 The Iowa collaborative safety net provider network  
18 may continue to distribute funds allocated pursuant to  
19 this lettered paragraph through existing contracts or  
20 renewal of existing contracts.  
21 h. Of the funds appropriated in this subsection,  
22 \$222,025 is transferred to the department of  
23 workforce development to continue to implement the  
24 recommendations in the final report submitted to the  
25 governor and the general assembly in March 2012, by  
26 the direct care worker advisory council established  
27 pursuant to 2008 Iowa Acts, chapter 1188, section 69,  
28 and the direct care worker advisory council shall be  
29 eliminated effective June 30, 2013.  
30 i. Of the funds appropriated in this subsection,  
31 the department may use up to \$58,175 for up to one  
32 full-time equivalent position to administer the  
33 volunteer health care provider program pursuant to  
34 section 135.24.  
35 j. Of the funds appropriated in this subsection,  
36 \$49,707 shall be used for a matching dental education  
37 loan repayment program to be allocated to a dental  
38 nonprofit health service corporation to develop the  
39 criteria and implement the loan repayment program.  
40 k. Of the funds appropriated in this subsection,  
41 \$105,823 is transferred to the college student aid  
42 commission for deposit in the rural Iowa primary care  
43 trust fund created in section 261.113 to be used for  
44 the purposes of the fund.  
45 l. Of the funds appropriated in this subsection,  
46 \$50,000 shall be used for the purposes of the Iowa  
47 donor registry as specified in section 142C.18.  
48 m. Of the funds appropriated in this subsection,  
49 \$100,000 shall be used for continuation of a grant to a  
50 nationally affiliated volunteer eye organization that



1 has an established program for children and adults  
2 and that is solely dedicated to preserving sight and  
3 preventing blindness through education, nationally  
4 certified vision screening and training, and community  
5 and patient service programs. The organization shall  
6 submit a report to the individuals identified in this  
7 Act for submission of reports regarding the use of  
8 funds allocated under this paragraph "m". The report  
9 shall include the objectives and results for the year  
10 of the program's implementation including the target  
11 population and how the funds allocated assisted the  
12 program in meeting the objectives; the number, age, and  
13 location within the state of individuals served; the  
14 type of services provided to the individuals served;  
15 the distribution of funds based on service provided;  
16 and the continuing needs of the program.

17 n. Of the funds appropriated in this section,  
18 \$50,000 shall be distributed to a statewide nonprofit  
19 organization to be used for the public purpose of  
20 supporting a partnership between medical providers and  
21 parents through community health centers to promote  
22 reading and encourage literacy skills so children enter  
23 school prepared for success in reading.

24 o. A portion of the funds appropriated in this  
25 subsection that are not allocated, used, obligated,  
26 or otherwise encumbered may be used to administer the  
27 vision screening program created pursuant to section  
28 135.39D, as enacted by 2013 Iowa Acts, [Senate File 419](#).

29 5. HEALTHY AGING

30 To provide public health services that reduce risks  
31 and invest in promoting and protecting good health over  
32 the course of a lifetime with a priority given to older  
33 Iowans and vulnerable populations:

34 ..... \$ 7,297,142

35 a. Of the funds appropriated in this subsection,  
36 \$2,009,187 shall be used for local public health  
37 nursing services.

38 b. Of the funds appropriated in this subsection,  
39 \$5,287,955 shall be used for home care aide services.

40 6. ENVIRONMENTAL HAZARDS

41 For reducing the public's exposure to hazards in the  
42 environment, primarily chemical hazards, and for not  
43 more than the following full-time equivalent positions:

44 ..... \$ 803,870

45 ..... FTEs 4.00

46 Of the funds appropriated in this subsection,  
47 \$537,750 shall be used for childhood lead poisoning  
48 provisions.

49 7. INFECTIOUS DISEASES

50 For reducing the incidence and prevalence of



1 communicable diseases, and for not more than the  
2 following full-time equivalent positions:

3 .....	\$	1,335,155
4 .....	FTEs	4.00

5 8. PUBLIC PROTECTION

6 For protecting the health and safety of the  
7 public through establishing standards and enforcing  
8 regulations, and for not more than the following  
9 full-time equivalent positions:

10 .....	\$	3,203,771
11 .....	FTEs	131.00

12 a. Of the funds appropriated in this subsection,  
13 not more than \$454,700 shall be credited to the  
14 emergency medical services fund created in section  
15 135.25. Moneys in the emergency medical services fund  
16 are appropriated to the department to be used for the  
17 purposes of the fund.

18 b. Of the funds appropriated in this subsection,  
19 \$203,032 shall be used for sexual violence prevention  
20 programming through a statewide organization  
21 representing programs serving victims of sexual  
22 violence through the department's sexual violence  
23 prevention program. The amount allocated in this  
24 lettered paragraph shall not be used to supplant  
25 funding administered for other sexual violence  
26 prevention or victims assistance programs.

27 c. Of the funds appropriated in this subsection,  
28 not more than \$523,751 shall be used for the state  
29 poison control center.

30 d. Of the funds appropriated in this section,  
31 \$368,000 shall be used for maintenance of environmental  
32 health programs to ensure public safety.

33 e. Of the funds appropriated in this section,  
34 \$28,000 shall be used as one-time funding to transition  
35 the licensing of orthotists, prosthetists, and  
36 pedorthists to a fee-supported licensing model. The  
37 fee-supported model shall provide for repayment of the  
38 funds allocated under this paragraph to the general  
39 fund of the state by June 30, 2015.

40 f. Of the funds appropriated in this section,  
41 \$28,644 shall be used for the costs of the emergency  
42 medical services task force as enacted in this Act.

43 9. RESOURCE MANAGEMENT

44 For establishing and sustaining the overall  
45 ability of the department to deliver services to the  
46 public, and for not more than the following full-time  
47 equivalent positions:

48 .....	\$	804,054
49 .....	FTEs	5.00

50 The university of Iowa hospitals and clinics under

1 the control of the state board of regents shall not  
2 receive indirect costs from the funds appropriated in  
3 this section. The university of Iowa hospitals and  
4 clinics billings to the department shall be on at least  
5 a quarterly basis.

6 DIVISION III

7 DEPARTMENT OF VETERANS AFFAIRS ---- FY 2013-2014

8 Sec. 3. DEPARTMENT OF VETERANS AFFAIRS. There is  
9 appropriated from the general fund of the state to the  
10 department of veterans affairs for the fiscal year  
11 beginning July 1, 2013, and ending June 30, 2014, the  
12 following amounts, or so much thereof as is necessary,  
13 to be used for the purposes designated:

14 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

15 For salaries, support, maintenance, and  
16 miscellaneous purposes, including the war orphans  
17 educational assistance fund created in section 35.8,  
18 or a successor funding provision for war orphans  
19 educational assistance, if enacted, and for not more  
20 than the following full-time equivalent positions:

21 .....	\$	1,093,508
22 .....	FTEs	13.00

23 2. IOWA VETERANS HOME

24 For salaries, support, maintenance, and  
25 miscellaneous purposes:

26 .....	\$	7,525,714
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27 a. The Iowa veterans home billings involving the  
28 department of human services shall be submitted to the  
29 department on at least a monthly basis.

30 b. If there is a change in the employer of  
31 employees providing services at the Iowa veterans home  
32 under a collective bargaining agreement, such employees  
33 and the agreement shall be continued by the successor  
34 employer as though there had not been a change in  
35 employer.

36 c. Within available resources and in conformance  
37 with associated state and federal program eligibility  
38 requirements, the Iowa veterans home may implement  
39 measures to provide financial assistance to or  
40 on behalf of veterans or their spouses who are  
41 participating in the community reentry program.

42 d. The Iowa veterans home expenditure report  
43 shall be submitted monthly to the legislative services  
44 agency.

45 3. HOME OWNERSHIP ASSISTANCE PROGRAM

46 For transfer to the Iowa finance authority for the  
47 continuation of the home ownership assistance program  
48 for persons who are or were eligible members of the  
49 armed forces of the United States, pursuant to section  
50 16.54:

1 ..... \$ 1,600,000  
2 Sec. 4. LIMITATION OF COUNTY COMMISSIONS OF VETERAN  
3 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding  
4 the standing appropriation in the following designated  
5 section for the fiscal year beginning July 1, 2013, and  
6 ending June 30, 2014, the amounts appropriated from the  
7 general fund of the state pursuant to that section for  
8 the following designated purposes shall not exceed the  
9 following amount:

10 For the county commissions of veteran affairs fund  
11 under section 35A.16:  
12 ..... \$ 990,000

13 DIVISION IV  
14 DEPARTMENT OF HUMAN SERVICES ---- FY 2013-2014

15 Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
16 BLOCK GRANT. There is appropriated from the fund  
17 created in section 8.41 to the department of human  
18 services for the fiscal year beginning July 1, 2013,  
19 and ending June 30, 2014, from moneys received under  
20 the federal temporary assistance for needy families  
21 (TANF) block grant pursuant to the federal Personal  
22 Responsibility and Work Opportunity Reconciliation  
23 Act of 1996, Pub. L. No. 104-193, and successor  
24 legislation, the following amounts, or so much  
25 thereof as is necessary, to be used for the purposes  
26 designated:

27 1. To be credited to the family investment program  
28 account and used for assistance under the family  
29 investment program under chapter 239B:  
30 ..... \$ 18,116,948

31 2. To be credited to the family investment program  
32 account and used for the job opportunities and  
33 basic skills (JOBS) program and implementing family  
34 investment agreements in accordance with chapter 239B:  
35 ..... \$ 11,866,439

36 3. To be used for the family development and  
37 self-sufficiency grant program in accordance with  
38 section 216A.107:  
39 ..... \$ 2,898,980

40 Notwithstanding section 8.33, moneys appropriated in  
41 this subsection that remain unencumbered or unobligated  
42 at the close of the fiscal year shall not revert but  
43 shall remain available for expenditure for the purposes  
44 designated until the close of the succeeding fiscal  
45 year. However, unless such moneys are encumbered or  
46 obligated on or before September 30, 2014, the moneys  
47 shall revert.

48 4. For field operations:  
49 ..... \$ 31,296,232

50 5. For general administration:

1 ..... \$ 3,744,000  
2 6. For state child care assistance:  
3 ..... \$ 25,732,687  
4 The funds appropriated in this subsection are  
5 transferred to the child care and development block  
6 grant appropriation made by the Eighty-fifth General  
7 Assembly, 2013 Session, for the federal fiscal year  
8 beginning October 1, 2013, and ending September 30,  
9 2014. Of this amount, \$200,000 shall be used for  
10 provision of educational opportunities to registered  
11 child care home providers in order to improve services  
12 and programs offered by this category of providers and  
13 to increase the number of providers. The department  
14 may contract with institutions of higher education or  
15 child care resource and referral centers to provide the  
16 educational opportunities. Allowable administrative  
17 costs under the contracts shall not exceed 5 percent.  
18 The application for a grant shall not exceed two pages  
19 in length.  
20 7. For distribution to counties or regions for  
21 services for persons with mental illness or an  
22 intellectual disability:  
23 ..... \$ 4,894,052  
24 8. For child and family services:  
25 ..... \$ 32,084,430  
26 9. For child abuse prevention grants:  
27 ..... \$ 125,000  
28 10. For pregnancy prevention grants on the  
29 condition that family planning services are funded:  
30 ..... \$ 1,930,067  
31 Pregnancy prevention grants shall be awarded to  
32 programs in existence on or before July 1, 2013, if the  
33 programs have demonstrated positive outcomes. Grants  
34 shall be awarded to pregnancy prevention programs  
35 which are developed after July 1, 2013, if the programs  
36 are based on existing models that have demonstrated  
37 positive outcomes. Grants shall comply with the  
38 requirements provided in 1997 Iowa Acts, chapter  
39 208, section 14, subsections 1 and 2, including the  
40 requirement that grant programs must emphasize sexual  
41 abstinence. Priority in the awarding of grants shall  
42 be given to programs that serve areas of the state  
43 which demonstrate the highest percentage of unplanned  
44 pregnancies of females of childbearing age within the  
45 geographic area to be served by the grant.  
46 11. For technology needs and other resources  
47 necessary to meet federal welfare reform reporting,  
48 tracking, and case management requirements:  
49 ..... \$ 1,037,186  
50 12. For the family investment program share of

1 the costs to develop and maintain a new, integrated  
2 eligibility determination system:  
3 ..... \$ 5,050,451

4 13. a. Notwithstanding any provision to the  
5 contrary, including but not limited to requirements  
6 in section 8.41 or provisions in 2012 or 2013 Iowa  
7 Acts regarding the receipt and appropriation of  
8 federal block grants, federal funds from the temporary  
9 assistance for needy families block grant received by  
10 the state not otherwise appropriated in this section  
11 and remaining available for the fiscal year beginning  
12 July 1, 2013, are appropriated to the department of  
13 human services to the extent as may be necessary to  
14 be used in the following priority order: the family  
15 investment program, for state child care assistance  
16 program payments for individuals enrolled in the  
17 family investment program who are employed, and  
18 for the family investment program share of costs to  
19 develop and maintain a new, integrated eligibility  
20 determination system. The federal funds appropriated  
21 in this paragraph "a" shall be expended only after  
22 all other funds appropriated in subsection 1 for  
23 the assistance under the family investment program,  
24 in subsection 6 for child care assistance, or in  
25 subsection 12 for the family investment program share  
26 of the costs to develop and maintain a new, integrated  
27 eligibility determination system, as applicable, have  
28 been expended.

29 b. The department shall, on a quarterly basis,  
30 advise the legislative services agency and department  
31 of management of the amount of funds appropriated in  
32 this subsection that was expended in the prior quarter.

33 14. Of the amounts appropriated in this section,  
34 \$12,962,008 for the fiscal year beginning July 1, 2013,  
35 is transferred to the appropriation of the federal  
36 social services block grant made to the department of  
37 human services for that fiscal year.

38 15. For continuation of the program providing  
39 categorical eligibility for the food assistance program  
40 as specified for the program in the section of this  
41 division relating to the family investment program  
42 account:

43 ..... \$ 25,000

44 16. The department may transfer funds allocated  
45 in this section to the appropriations made in this  
46 division of this Act for the same fiscal year for  
47 general administration and field operations for  
48 resources necessary to implement and operate the  
49 services referred to in this section and those funded  
50 in the appropriation made in this division of this Act

1 for the same fiscal year for the family investment  
2 program from the general fund of the state.

3 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

4 1. Moneys credited to the family investment program  
5 (FIP) account for the fiscal year beginning July  
6 1, 2013, and ending June 30, 2014, shall be used to  
7 provide assistance in accordance with chapter 239B.

8 2. The department may use a portion of the moneys  
9 credited to the FIP account under this section as  
10 necessary for salaries, support, maintenance, and  
11 miscellaneous purposes.

12 3. The department may transfer funds allocated  
13 in this section to the appropriations made in this  
14 division of this Act for the same fiscal year for  
15 general administration and field operations for  
16 resources necessary to implement and operate the  
17 services referred to in this section and those funded  
18 in the appropriation made in this division of this Act  
19 for the same fiscal year for the family investment  
20 program from the general fund of the state.

21 4. Moneys appropriated in this division of this Act  
22 and credited to the FIP account for the fiscal year  
23 beginning July 1, 2013, and ending June 30, 2014, are  
24 allocated as follows:

25 a. To be retained by the department of human  
26 services to be used for coordinating with the  
27 department of human rights to more effectively serve  
28 participants in the FIP program and other shared  
29 clients and to meet federal reporting requirements  
30 under the federal temporary assistance for needy  
31 families block grant:

32 ..... \$ 20,000

33 b. To the department of human rights for staffing,  
34 administration, and implementation of the family  
35 development and self-sufficiency grant program in  
36 accordance with section 216A.107:

37 ..... \$ 5,542,834

38 (1) Of the funds allocated for the family  
39 development and self-sufficiency grant program in this  
40 lettered paragraph, not more than 5 percent of the  
41 funds shall be used for the administration of the grant  
42 program.

43 (2) The department of human rights may continue to  
44 implement the family development and self-sufficiency  
45 grant program statewide during fiscal year 2013-2014.

46 c. For the diversion subaccount of the FIP account:

47 ..... \$ 1,698,400

48 A portion of the moneys allocated for the subaccount  
49 may be used for field operations salaries, data  
50 management system development, and implementation

1 costs and support deemed necessary by the director  
2 of human services in order to administer the FIP  
3 diversion program. To the extent moneys allocated  
4 in this lettered paragraph are not deemed by the  
5 department to be necessary to support diversion  
6 activities, such moneys may be used for other efforts  
7 intended to increase engagement by family investment  
8 program participants in work, education, or training  
9 activities.

10 d. For the food assistance employment and training  
11 program:

12 ..... \$ 66,588

13 (1) The department shall amend the federal  
14 supplemental nutrition assistance program (SNAP)  
15 employment and training state plan in order to maximize  
16 to the fullest extent permitted by federal law the  
17 use of the 50-50 match provisions for the claiming  
18 of allowable federal matching funds from the United  
19 States department of agriculture pursuant to the  
20 federal SNAP employment and training program for  
21 providing education, employment, and training services  
22 for eligible food assistance program participants,  
23 including but not limited to related dependent care and  
24 transportation expenses.

25 (2) The department shall continue the categorical  
26 federal food assistance program eligibility at 160  
27 percent of the federal poverty level and continue to  
28 eliminate the asset test from eligibility requirements,  
29 consistent with federal food assistance program  
30 requirements. The department shall include as many  
31 food assistance households as is allowed by federal  
32 law. The eligibility provisions shall conform to all  
33 federal requirements including requirements addressing  
34 individuals who are incarcerated or otherwise  
35 ineligible.

36 e. For the JOBS program:

37 ..... \$ 19,690,816

38 5. Of the child support collections assigned under  
39 FIP, an amount equal to the federal share of support  
40 collections shall be credited to the child support  
41 recovery appropriation made in this division of this  
42 Act. Of the remainder of the assigned child support  
43 collections received by the child support recovery  
44 unit, a portion shall be credited to the FIP account,  
45 a portion may be used to increase recoveries, and a  
46 portion may be used to sustain cash flow in the child  
47 support payments account. If as a consequence of the  
48 appropriations and allocations made in this section  
49 the resulting amounts are insufficient to sustain  
50 cash assistance payments and meet federal maintenance



1 of effort requirements, the department shall seek  
2 supplemental funding. If child support collections  
3 assigned under FIP are greater than estimated or are  
4 otherwise determined not to be required for maintenance  
5 of effort, the state share of either amount may be  
6 transferred to or retained in the child support payment  
7 account.

8 6. The department may adopt emergency rules for the  
9 family investment, JOBS, food assistance, and medical  
10 assistance programs if necessary to comply with federal  
11 requirements.

12 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL  
13 FUND. There is appropriated from the general fund of  
14 the state to the department of human services for the  
15 fiscal year beginning July 1, 2013, and ending June 30,  
16 2014, the following amount, or so much thereof as is  
17 necessary, to be used for the purpose designated:

18 To be credited to the family investment program  
19 (FIP) account and used for family investment program  
20 assistance under chapter 239B:

21 ..... \$ 47,897,214

22 1. Of the funds appropriated in this section,  
23 \$7,824,377 is allocated for the JOBS program.

24 2. Of the funds appropriated in this section,  
25 \$2,663,854 is allocated for the family development and  
26 self-sufficiency grant program.

27 3. Notwithstanding section 8.39, for the fiscal  
28 year beginning July 1, 2013, if necessary to meet  
29 federal maintenance of effort requirements or to  
30 transfer federal temporary assistance for needy  
31 families block grant funding to be used for purposes  
32 of the federal social services block grant or to meet  
33 cash flow needs resulting from delays in receiving  
34 federal funding or to implement, in accordance with  
35 this division of this Act, activities currently funded  
36 with juvenile court services, county, or community  
37 moneys and state moneys used in combination with such  
38 moneys, the department of human services may transfer  
39 funds within or between any of the appropriations made  
40 in this division of this Act and appropriations in law  
41 for the federal social services block grant to the  
42 department for the following purposes, provided that  
43 the combined amount of state and federal temporary  
44 assistance for needy families block grant funding for  
45 each appropriation remains the same before and after  
46 the transfer:

47 a. For the family investment program.

48 b. For child care assistance.

49 c. For child and family services.

50 d. For field operations.

1 e. For general administration.

2 f. For distribution to counties or regions

3 for services to persons with mental illness or an

4 intellectual disability.

5 This subsection shall not be construed to prohibit

6 the use of existing state transfer authority for other

7 purposes. The department shall report any transfers

8 made pursuant to this subsection to the legislative

9 services agency.

10 4. Of the funds appropriated in this section,

11 \$195,678 shall be used for continuation of a grant to

12 an Iowa-based nonprofit organization with a history

13 of providing tax preparation assistance to low-income

14 Iowans in order to expand the usage of the earned

15 income tax credit. The purpose of the grant is to

16 supply this assistance to underserved areas of the

17 state.

18 5. The department may transfer funds appropriated

19 in this section to the appropriations made in this

20 division of this Act for general administration and

21 field operations as necessary to administer this

22 section and the overall family investment program.

23 Sec. 8. CHILD SUPPORT RECOVERY. There is

24 appropriated from the general fund of the state to

25 the department of human services for the fiscal year

26 beginning July 1, 2013, and ending June 30, 2014, the

27 following amount, or so much thereof as is necessary,

28 to be used for the purposes designated:

29 For child support recovery, including salaries,

30 support, maintenance, and miscellaneous purposes, and

31 for not more than the following full-time equivalent

32 positions:

33 ..... \$ 14,173,770

34 ..... FTEs 464.00

35 1. The department shall expend up to \$24,329,

36 including federal financial participation, for the

37 fiscal year beginning July 1, 2013, for a child support

38 public awareness campaign. The department and the

39 office of the attorney general shall cooperate in

40 continuation of the campaign. The public awareness

41 campaign shall emphasize, through a variety of media

42 activities, the importance of maximum involvement of

43 both parents in the lives of their children as well as

44 the importance of payment of child support obligations.

45 2. Federal access and visitation grant moneys shall

46 be issued directly to private not-for-profit agencies

47 that provide services designed to increase compliance

48 with the child access provisions of court orders,

49 including but not limited to neutral visitation sites

50 and mediation services.

1 3. The appropriation made to the department for  
2 child support recovery may be used throughout the  
3 fiscal year in the manner necessary for purposes of  
4 cash flow management, and for cash flow management  
5 purposes the department may temporarily draw more  
6 than the amount appropriated, provided the amount  
7 appropriated is not exceeded at the close of the fiscal  
8 year.

9 4. With the exception of the funding amount  
10 specified, the requirements established under 2001  
11 Iowa Acts, chapter 191, section 3, subsection 5,  
12 paragraph "c", subparagraph (3), shall be applicable  
13 to parental obligation pilot projects for the fiscal  
14 year beginning July 1, 2013, and ending June 30,  
15 2014. Notwithstanding [441 IAC 100.8](#), providing for  
16 termination of rules relating to the pilot projects,  
17 the rules shall remain in effect until June 30, 2014.

18 Sec. 9. HEALTH CARE TRUST FUND ---- MEDICAL  
19 ASSISTANCE ---- FY 2013-2014. Any funds remaining in the  
20 health care trust fund created in section 453A.35A for  
21 the fiscal year beginning July 1, 2013, and ending June  
22 30, 2014, are appropriated to the department of human  
23 services to supplement the medical assistance program  
24 appropriations made in this division of this Act, for  
25 medical assistance reimbursement and associated costs,  
26 including program administration and costs associated  
27 with program implementation.

28 Sec. 10. MEDICAID FRAUD FUND ---- MEDICAL ASSISTANCE  
29 ---- FY 2013-2014. Any funds remaining in the Medicaid  
30 fraud fund created in section 249A.7 for the fiscal  
31 year beginning July 1, 2013, and ending June 30, 2014,  
32 are appropriated to the department of human services to  
33 supplement the medical assistance appropriations made  
34 in this division of this Act, for medical assistance  
35 reimbursement and associated costs, including program  
36 administration and costs associated with program  
37 implementation.

38 Sec. 11. MEDICAL ASSISTANCE. There is appropriated  
39 from the general fund of the state to the department of  
40 human services for the fiscal year beginning July 1,  
41 2013, and ending June 30, 2014, the following amount,  
42 or so much thereof as is necessary, to be used for the  
43 purpose designated:

44 For medical assistance program reimbursement and  
45 associated costs as specifically provided in the  
46 reimbursement methodologies in effect on June 30, 2013,  
47 except as otherwise expressly authorized by law:  
48 ..... \$1,126,161,962

49 1. a. Funds appropriated in this section that  
50 are distributed to a hospital, as defined in section

1 135B.1, or to a person, as defined in section 4.1, who  
2 receives funding from the IowaCare account created in  
3 section 249J.24, shall not be used for the willful  
4 termination of human life.

5 b. With the exception of the distributions in  
6 paragraph "a", funds appropriated under this section  
7 shall not be distributed to any person, as defined  
8 in section 4.1, who participates in the willful  
9 termination of human life.

10 2. The department shall utilize not more than  
11 \$60,000 of the funds appropriated in this section  
12 to continue the AIDS/HIV health insurance premium  
13 payment program as established in 1992 Iowa Acts,  
14 Second Extraordinary Session, chapter 1001, section  
15 409, subsection 6. Of the funds allocated in this  
16 subsection, not more than \$5,000 may be expended for  
17 administrative purposes.

18 3. Of the funds appropriated in this Act to the  
19 department of public health for addictive disorders,  
20 \$950,000 for the fiscal year beginning July 1, 2013, is  
21 transferred to the department of human services for an  
22 integrated substance abuse managed care system. The  
23 department shall not assume management of the substance  
24 abuse system in place of the managed care contractor  
25 unless such a change in approach is specifically  
26 authorized in law. The departments of human services  
27 and public health shall work together to maintain the  
28 level of mental health and substance-related disorder  
29 treatment services provided by the managed care  
30 contractor through the Iowa plan for behavioral health.  
31 Each department shall take the steps necessary to  
32 continue the federal waivers as necessary to maintain  
33 the level of services.

34 4. a. The department shall aggressively pursue  
35 options for providing medical assistance or other  
36 assistance to individuals with special needs who become  
37 ineligible to continue receiving services under the  
38 early and periodic screening, diagnostic, and treatment  
39 program under the medical assistance program due  
40 to becoming 21 years of age who have been approved  
41 for additional assistance through the department's  
42 exception to policy provisions, but who have health  
43 care needs in excess of the funding available through  
44 the exception to policy provisions.

45 b. Of the funds appropriated in this section,  
46 \$100,000 shall be used for participation in one or more  
47 pilot projects operated by a private provider to allow  
48 the individual or individuals to receive service in the  
49 community in accordance with principles established in  
50 *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose

1 of providing medical assistance or other assistance to  
2 individuals with special needs who become ineligible  
3 to continue receiving services under the early and  
4 periodic screening, diagnosis, and treatment program  
5 under the medical assistance program due to becoming  
6 21 years of age who have been approved for additional  
7 assistance through the department's exception to policy  
8 provisions, but who have health care needs in excess  
9 of the funding available through the exception to the  
10 policy provisions.

11 5. Of the funds appropriated in this section, up to  
12 \$3,050,082 may be transferred to the field operations  
13 or general administration appropriations in this Act  
14 for operational costs associated with Part D of the  
15 federal Medicare Prescription Drug Improvement and  
16 Modernization Act of 2003, Pub. L. No. 108-173.

17 6. Of the funds appropriated in this section, up  
18 to \$442,100 may be transferred to the appropriation  
19 in this division of this Act for medical contracts  
20 to be used for clinical assessment services and prior  
21 authorization of services.

22 7. A portion of the funds appropriated in this  
23 section may be transferred to the appropriations in  
24 this division of this Act for general administration,  
25 medical contracts, the children's health insurance  
26 program, or field operations to be used for the  
27 state match cost to comply with the payment error  
28 rate measurement (PERM) program for both the medical  
29 assistance and children's health insurance programs  
30 as developed by the centers for Medicare and Medicaid  
31 services of the United States department of health and  
32 human services to comply with the federal Improper  
33 Payments Information Act of 2002, Pub. L. No. 107-300.

34 8. It is the intent of the general assembly  
35 that the department continue to implement the  
36 recommendations of the assuring better child health  
37 and development initiative II (ABCDII) clinical panel  
38 to the Iowa early and periodic screening, diagnostic,  
39 and treatment services healthy mental development  
40 collaborative board regarding changes to billing  
41 procedures, codes, and eligible service providers.

42 9. Of the funds appropriated in this section,  
43 a sufficient amount is allocated to supplement  
44 the incomes of residents of nursing facilities,  
45 intermediate care facilities for persons with mental  
46 illness, and intermediate care facilities for persons  
47 with an intellectual disability, with incomes of less  
48 than \$50 in the amount necessary for the residents to  
49 receive a personal needs allowance of \$50 per month  
50 pursuant to section 249A.30A.

1 10. Of the funds appropriated in this section, the  
2 following amounts are transferred to the appropriations  
3 made in this division of this Act for the state mental  
4 health institutes:

5 a. Cherokee mental health institute .....	\$ 9,098,425
6 b. Clarinda mental health institute .....	\$ 1,977,305
7 c. Independence mental health	
8 institute .....	\$ 9,045,894
9 d. Mount Pleasant mental health institute	
10 .....	\$ 5,752,587

11 11. a. Of the funds appropriated in this section,  
12 \$7,969,074 is allocated for the state match for a  
13 disproportionate share hospital payment of \$19,133,430  
14 to hospitals that meet both of the conditions specified  
15 in subparagraphs (1) and (2). In addition, the  
16 hospitals that meet the conditions specified shall  
17 either certify public expenditures or transfer to  
18 the medical assistance program an amount equal to  
19 provide the nonfederal share for a disproportionate  
20 share hospital payment of \$7,500,000. The hospitals  
21 that meet the conditions specified shall receive and  
22 retain 100 percent of the total disproportionate share  
23 hospital payment of \$26,633,430.

24 (1) The hospital qualifies for disproportionate  
25 share and graduate medical education payments.

26 (2) The hospital is an Iowa state-owned hospital  
27 with more than 500 beds and eight or more distinct  
28 residency specialty or subspecialty programs recognized  
29 by the American college of graduate medical education.

30 b. Distribution of the disproportionate share  
31 payments shall be made on a monthly basis. The total  
32 amount of disproportionate share payments including  
33 graduate medical education, enhanced disproportionate  
34 share, and Iowa state-owned teaching hospital payments  
35 shall not exceed the amount of the state's allotment  
36 under Pub. L. No. 102-234. In addition, the total  
37 amount of all disproportionate share payments shall not  
38 exceed the hospital-specific disproportionate share  
39 limits under Pub. L. No. 103-66.

40 12. The university of Iowa hospitals and clinics  
41 shall either certify public expenditures or transfer to  
42 the medical assistance appropriation an amount equal  
43 to provide the nonfederal share for increased medical  
44 assistance payments for inpatient and outpatient  
45 hospital services of \$9,900,000. The university of  
46 Iowa hospitals and clinics shall receive and retain 100  
47 percent of the total increase in medical assistance  
48 payments.

49 13. Of the funds appropriated in this section,  
50 up to \$11,921,225 may be transferred to the IowaCare



1 account created in section 249J.24.

2 14. One hundred percent of the nonfederal share of  
3 payments to area education agencies that are medical  
4 assistance providers for medical assistance-covered  
5 services provided to medical assistance-covered  
6 children, shall be made from the appropriation made in  
7 this section.

8 15. Any new or renewed contract entered into by the  
9 department with a third party to administer behavioral  
10 health services under the medical assistance program  
11 shall provide that any interest earned on payments  
12 from the state during the state fiscal year shall be  
13 remitted to the department and treated as recoveries to  
14 offset the costs of the medical assistance program.

15 16. The department shall continue to implement the  
16 provisions in 2007 Iowa Acts, chapter 218, section  
17 124 and section 126, as amended by 2008 Iowa Acts,  
18 chapter 1188, section 55, relating to eligibility for  
19 certain persons with disabilities under the medical  
20 assistance program in accordance with the federal  
21 Family Opportunity Act.

22 17. A portion of the funds appropriated in this  
23 section may be transferred to the appropriation in this  
24 division of this Act for medical contracts to be used  
25 for administrative activities associated with the money  
26 follows the person demonstration project.

27 18. Of the funds appropriated in this section,  
28 \$349,011 shall be used for the administration of the  
29 health insurance premium payment program, including  
30 salaries, support, maintenance, and miscellaneous  
31 purposes.

32 19. a. The department shall implement the  
33 following cost containment strategies for the medical  
34 assistance program and shall adopt emergency rules for  
35 such implementation:

36 (1) Notwithstanding any provision of law to the  
37 contrary, the department shall integrate medical  
38 assistance program habilitation services into the Iowa  
39 plan contract for the fiscal year beginning July 1,  
40 2013.

41 (2) The department shall require prior  
42 authorization for provision of any home health services  
43 for adults in excess of one hundred visits per year.

44 (3) The department shall prohibit coverage for  
45 elective, nonmedically necessary cesarean sections.

46 (4) The department shall require prior  
47 authorization based on specified criteria before  
48 providing reimbursement for hospital swing bed  
49 placements and continued stays.

50 (5) The department shall align payment



1 methodologies and rates between medical and nonmedical  
2 transportation services through the transportation  
3 brokerage provider.

4 (6) The department shall require that all fees for  
5 employee records checks shall be paid by the medical  
6 assistance home and community-based waiver services  
7 consumer-directed attendant care or consumer choices  
8 option provider, with the exception of one initial  
9 state records check per employee which shall be paid by  
10 the Iowa Medicaid enterprise.

11 (7) The department shall require transition of the  
12 provision by individual providers of personal care  
13 under the consumer-directed attendant care option to  
14 agency-provided personal care services and shall retain  
15 the consumer choice option for those individuals able  
16 and desiring to self-direct services.

17 (8) The department shall require that persons with  
18 an intellectual disability receiving services under  
19 the medical assistance program receive a functional  
20 assessment utilizing the supports intensity scale tool.  
21 The department shall contract with an independent  
22 entity to perform the functional assessments. The  
23 department shall implement a tiered resource allocation  
24 methodology for service plans under the medical  
25 assistance home and community-based services waiver for  
26 persons with an intellectual disability.

27 (9) The department shall develop a new  
28 reimbursement methodology for medical assistance  
29 targeted case management that applies appropriate cost  
30 limits.

31 (10) The department shall implement an integrated  
32 health home approach under the medical assistance  
33 program for persons with chronic mental illness. The  
34 approach shall integrate the functions of medical  
35 assistance targeted case management.

36 (11) The department shall expand the categories of  
37 diabetic supplies for which a rebate may be received.

38 (12) The department shall limit initial  
39 authorizations for institutional-based care to 30 days  
40 for members following discharge from a hospital if the  
41 member previously lived in a community-based setting.

42 b. The department shall not implement the cost  
43 containment strategy to require a primary care referral  
44 for the provision of chiropractic services.

45 c. The department may increase the amounts  
46 allocated for salaries, support, maintenance, and  
47 miscellaneous purposes associated with the medical  
48 assistance program, as necessary, to implement the cost  
49 containment strategies. The department shall report  
50 any such increase to the legislative services agency

1 and the department of management.

2 d. If the savings to the medical assistance program  
3 exceed the cost for the fiscal year, the department may  
4 transfer any savings generated for the fiscal year due  
5 to medical assistance program cost containment efforts  
6 to the appropriation made in this division of this Act  
7 for medical contracts or general administration to  
8 defray the increased contract costs associated with  
9 implementing such efforts.

10 e. The department shall report the implementation  
11 of any cost containment strategies under this  
12 subsection to the individuals specified in this  
13 division of this Act for submission of reports on a  
14 quarterly basis.

15 20. a. Of the funds appropriated in this section,  
16 \$900,000 shall be used to implement the children's  
17 mental health home project proposed by the department  
18 of human services and reported to the general  
19 assembly's mental health and disability services study  
20 committee in December 2011. Of this amount, up to  
21 \$50,000 may be transferred by the department to the  
22 appropriation made in this division of this Act to  
23 the department for the same fiscal year for general  
24 administration to be used for associated administrative  
25 expenses and for not more than one full-time equivalent  
26 position, in addition to those authorized for the  
27 same fiscal year, to be assigned to implementing the  
28 project.

29 b. Of the funds appropriated in this section, up to  
30 \$400,000 may be transferred by the department to the  
31 appropriation made to the department in this division  
32 of this Act for the same fiscal year for general  
33 administration to support the redesign of mental  
34 health and disability services and the state balancing  
35 incentive payments program planning and implementation  
36 activities. The funds may be used for contracts or for  
37 personnel in addition to the amounts appropriated for  
38 and the positions authorized for general administration  
39 for the same fiscal year.

40 c. Of the funds appropriated in this section, up  
41 to \$3,000,000 may be transferred by the department  
42 to the appropriations made to the department in this  
43 division of this Act for the same fiscal year for  
44 general administration or medical contracts to be  
45 used to support the development and implementation of  
46 standardized assessment tools for persons with mental  
47 illness, an intellectual disability, a developmental  
48 disability, or a brain injury.

49 d. For the fiscal year beginning July 1, 2013, and  
50 ending June 30, 2014, the replacement generation tax

1 revenues required to be deposited in the property tax  
2 relief fund pursuant to section 437A.8, subsection  
3 4, paragraph "d", and section 437A.15, subsection  
4 3, paragraph "f", shall instead be credited to and  
5 supplement the appropriation made in this section and  
6 used for the allocations made in this subsection.

7 e. The moneys reimbursed and credited to the risk  
8 pool in the property tax relief fund pursuant to 2012  
9 Iowa Acts, chapter 1128, section 6, subsection 5, as  
10 amended by 2012 Iowa Acts, chapter 1133, section 67,  
11 are appropriated to the department of human services  
12 for the fiscal year beginning July 1, 2013, and  
13 ending June 30, 2014, to be used to supplement the  
14 appropriation made in this section for the medical  
15 assistance program.

16 21. Of the funds appropriated in this section,  
17 \$250,000 shall be used for lodging expenses associated  
18 with care provided at the university of Iowa hospitals  
19 and clinics under chapter 249J for patients with  
20 cancer whose travel distance is 30 miles or more  
21 from the university of Iowa hospitals and clinics.  
22 The department of human services shall establish the  
23 maximum number of overnight stays and the maximum rate  
24 reimbursed for overnight lodging, which may be based on  
25 the state employee rate established by the department  
26 of administrative services. The funds allocated in  
27 this subsection shall not be used as nonfederal share  
28 matching funds.

29 22. The department shall continue to administer the  
30 state balancing incentive payments program as specified  
31 in 2012 Iowa Acts, chapter 1133, section 14.

32 23. Of the funds appropriated in this section,  
33 \$2,000,000 shall be used for the autism support program  
34 created in chapter 225D, as enacted in this Act,  
35 beginning January 1, 2014.

36 Sec. 12. MEDICAL CONTRACTS. There is appropriated  
37 from the general fund of the state to the department of  
38 human services for the fiscal year beginning July 1,  
39 2013, and ending June 30, 2014, the following amount,  
40 or so much thereof as is necessary, to be used for the  
41 purpose designated:

42 For medical contracts:

43 ..... \$ 8,520,749

44 1. The department of inspections and appeals  
45 shall provide all state matching funds for survey and  
46 certification activities performed by the department  
47 of inspections and appeals. The department of human  
48 services is solely responsible for distributing the  
49 federal matching funds for such activities.

50 2. Of the funds appropriated in this section,

1 \$50,000 shall be used for continuation of home and  
2 community-based services waiver quality assurance  
3 programs, including the review and streamlining of  
4 processes and policies related to oversight and quality  
5 management to meet state and federal requirements.

6 3. Of the amount appropriated in this section, up  
7 to \$200,000 may be transferred to the appropriation for  
8 general administration in this division of this Act to  
9 be used for additional full-time equivalent positions  
10 in the development of key health initiatives such as  
11 cost containment, development and oversight of managed  
12 care programs, and development of health strategies  
13 targeted toward improved quality and reduced costs in  
14 the Medicaid program.

15 4. Of the funds appropriated in this section,  
16 \$64,398 shall be used for provision of the IowaCare  
17 program nurse helpline for the expansion population as  
18 provided in section 249J.6.

19 5. Of the funds appropriated in this section,  
20 \$80,000 shall be used for costs related to audits,  
21 performance evaluations, and studies required pursuant  
22 to chapter 249J.

23 6. Of the funds appropriated in this section,  
24 \$194,654 shall be used for administrative costs  
25 associated with chapter 249J.

26 7. Of the funds appropriated in this section,  
27 \$1,000,000 shall be used for planning and development,  
28 in cooperation with the department of public health,  
29 of a phased-in program to provide a dental home for  
30 children in accordance with section 249J.14.

31 8. Of the funds appropriated in this section,  
32 \$270,000 shall be used for payment to the publicly  
33 owned acute care teaching hospital located in a  
34 county with a population of over 350,000 that is a  
35 participating provider pursuant to chapter 249J.  
36 Disbursements under this subsection shall be made  
37 monthly. The hospital shall submit a report following  
38 the close of the fiscal year regarding use of the funds  
39 allocated in this subsection to the persons specified  
40 in this Act to receive reports.

41 9. Of the funds appropriated in this section,  
42 \$75,000 shall be used for continued implementation of a  
43 uniform cost report.

44 Sec. 13. STATE SUPPLEMENTARY ASSISTANCE.

45 1. There is appropriated from the general fund of  
46 the state to the department of human services for the  
47 fiscal year beginning July 1, 2013, and ending June 30,  
48 2014, the following amount, or so much thereof as is  
49 necessary, to be used for the purpose designated:

50 For the state supplementary assistance program:

1 ..... \$ 16,512,174  
2 2. The department shall increase the personal needs  
3 allowance for residents of residential care facilities  
4 by the same percentage and at the same time as federal  
5 supplemental security income and federal social  
6 security benefits are increased due to a recognized  
7 increase in the cost of living. The department may  
8 adopt emergency rules to implement this subsection.

9 3. If during the fiscal year beginning July 1,  
10 2013, the department projects that state supplementary  
11 assistance expenditures for a calendar year will not  
12 meet the federal pass-through requirement specified  
13 in Tit. XVI of the federal Social Security Act,  
14 section 1618, as codified in 42 U.S.C. { 1382g,  
15 the department may take actions including but not  
16 limited to increasing the personal needs allowance  
17 for residential care facility residents and making  
18 programmatic adjustments or upward adjustments of the  
19 residential care facility or in-home health-related  
20 care reimbursement rates prescribed in this division of  
21 this Act to ensure that federal requirements are met.  
22 In addition, the department may make other programmatic  
23 and rate adjustments necessary to remain within the  
24 amount appropriated in this section while ensuring  
25 compliance with federal requirements. The department  
26 may adopt emergency rules to implement the provisions  
27 of this subsection.

28 Sec. 14. CHILDREN'S HEALTH INSURANCE PROGRAM.

29 1. There is appropriated from the general fund of  
30 the state to the department of human services for the  
31 fiscal year beginning July 1, 2013, and ending June 30,  
32 2014, the following amount, or so much thereof as is  
33 necessary, to be used for the purpose designated:

34 For maintenance of the healthy and well kids in Iowa  
35 (hawk-i) program pursuant to chapter 514I, including  
36 supplemental dental services, for receipt of federal  
37 financial participation under Tit. XXI of the federal  
38 Social Security Act, which creates the children's  
39 health insurance program:

40 ..... \$ 36,806,102

41 2. Of the funds appropriated in this section,  
42 \$141,450 is allocated for continuation of the contract  
43 for outreach with the department of public health.

44 Sec. 15. CHILD CARE ASSISTANCE. There is  
45 appropriated from the general fund of the state to  
46 the department of human services for the fiscal year  
47 beginning July 1, 2013, and ending June 30, 2014, the  
48 following amount, or so much thereof as is necessary,  
49 to be used for the purpose designated:

50 For child care programs:

1 ..... \$ 59,264,342

2 1. Of the funds appropriated in this section,  
3 \$51,409,737 shall be used for state child care  
4 assistance in accordance with section 237A.13.

5 2. Nothing in this section shall be construed or  
6 is intended as or shall imply a grant of entitlement  
7 for services to persons who are eligible for assistance  
8 due to an income level consistent with the waiting  
9 list requirements of section 237A.13. Any state  
10 obligation to provide services pursuant to this section  
11 is limited to the extent of the funds appropriated in  
12 this section.

13 3. Of the funds appropriated in this section,  
14 \$432,453 is allocated for the statewide program for  
15 child care resource and referral services under section  
16 237A.26. A list of the registered and licensed child  
17 care facilities operating in the area served by a  
18 child care resource and referral service shall be made  
19 available to the families receiving state child care  
20 assistance in that area.

21 4. Of the funds appropriated in this section,  
22 \$936,974 is allocated for child care quality  
23 improvement initiatives including but not limited to  
24 the voluntary quality rating system in accordance with  
25 section 237A.30.

26 5. Of the funds appropriated in this section,  
27 \$135,178 shall be used to conduct fingerprint-based  
28 national criminal history record checks of home-based  
29 child care providers pursuant to section 237A.5,  
30 subsection 2, through the United States department of  
31 justice, federal bureau of investigation.

32 6. Of the funds appropriated in this section,  
33 \$6,350,000 shall be credited to the school ready  
34 children grants account in the early childhood Iowa  
35 fund. The moneys credited to the account pursuant  
36 to this subsection shall be distributed by the early  
37 childhood Iowa board by applying the formula for  
38 distribution of moneys from the account.

39 7. The department may use any of the funds  
40 appropriated in this section as a match to obtain  
41 federal funds for use in expanding child care  
42 assistance and related programs. For the purpose of  
43 expenditures of state and federal child care funding,  
44 funds shall be considered obligated at the time  
45 expenditures are projected or are allocated to the  
46 department's service areas. Projections shall be based  
47 on current and projected caseload growth, current and  
48 projected provider rates, staffing requirements for  
49 eligibility determination and management of program  
50 requirements including data systems management,



1 staffing requirements for administration of the  
2 program, contractual and grant obligations and any  
3 transfers to other state agencies, and obligations for  
4 decategorization or innovation projects.

5 8. A portion of the state match for the federal  
6 child care and development block grant shall be  
7 provided as necessary to meet federal matching  
8 funds requirements through the state general fund  
9 appropriation made for child development grants and  
10 other programs for at-risk children in section 279.51.

11 9. If a uniform reduction ordered by the governor  
12 under section 8.31 or other operation of law,  
13 transfer, or federal funding reduction reduces the  
14 appropriation made in this section for the fiscal year,  
15 the percentage reduction in the amount paid out to or  
16 on behalf of the families participating in the state  
17 child care assistance program shall be equal to or  
18 less than the percentage reduction made for any other  
19 purpose payable from the appropriation made in this  
20 section and the federal funding relating to it. The  
21 percentage reduction to the other allocations made in  
22 this section shall be the same as the uniform reduction  
23 ordered by the governor or the percentage change of the  
24 federal funding reduction, as applicable. If there is  
25 an unanticipated increase in federal funding provided  
26 for state child care assistance, the entire amount  
27 of the increase shall be used for state child care  
28 assistance payments. If the appropriations made for  
29 purposes of the state child care assistance program for  
30 the fiscal year are determined to be insufficient, it  
31 is the intent of the general assembly to appropriate  
32 sufficient funding for the fiscal year in order to  
33 avoid establishment of waiting list requirements.

34 10. Notwithstanding section 8.33, moneys advanced  
35 for purposes of the programs developed by early  
36 childhood Iowa areas, advanced for purposes of  
37 wraparound child care, or received from the federal  
38 appropriations made for the purposes of this section  
39 that remain unencumbered or unobligated at the close  
40 of the fiscal year shall not revert to any fund but  
41 shall remain available for expenditure for the purposes  
42 designated until the close of the succeeding fiscal  
43 year.

44 Sec. 16. JUVENILE INSTITUTIONS. There is  
45 appropriated from the general fund of the state to  
46 the department of human services for the fiscal year  
47 beginning July 1, 2013, and ending June 30, 2014, the  
48 following amounts, or so much thereof as is necessary,  
49 to be used for the purposes designated:

50 1. For operation of the Iowa juvenile home at



1 Toledo and for salaries, support, maintenance, and  
2 miscellaneous purposes, and for not more than the  
3 following full-time equivalent positions:

4 ..... \$ 8,859,355  
5 ..... FTEs 114.00

6 2. For operation of the state training school at  
7 Eldora and for salaries, support, maintenance, and  
8 miscellaneous purposes, and for not more than the  
9 following full-time equivalent positions:

10 ..... \$ 11,256,969  
11 ..... FTEs 164.30

12 Of the funds appropriated in this subsection,  
13 \$91,150 shall be used for distribution to licensed  
14 classroom teachers at this and other institutions under  
15 the control of the department of human services based  
16 upon the average student yearly enrollment at each  
17 institution as determined by the department.

18 3. A portion of the moneys appropriated in this  
19 section shall be used by the state training school and  
20 by the Iowa juvenile home for grants for adolescent  
21 pregnancy prevention activities at the institutions in  
22 the fiscal year beginning July 1, 2013.

23 Sec. 17. CHILD AND FAMILY SERVICES.

24 1. There is appropriated from the general fund of  
25 the state to the department of human services for the  
26 fiscal year beginning July 1, 2013, and ending June 30,  
27 2014, the following amount, or so much thereof as is  
28 necessary, to be used for the purpose designated:

29 For child and family services:

30 ..... \$ 81,274,946

31 2. Up to \$5,200,000 of the amount of federal  
32 temporary assistance for needy families block grant  
33 funding appropriated in this division of this Act for  
34 child and family services shall be made available for  
35 purposes of juvenile delinquent graduated sanction  
36 services.

37 3. The department may transfer funds appropriated  
38 in this section as necessary to pay the nonfederal  
39 costs of services reimbursed under the medical  
40 assistance program, state child care assistance  
41 program, or the family investment program which are  
42 provided to children who would otherwise receive  
43 services paid under the appropriation in this section.  
44 The department may transfer funds appropriated in this  
45 section to the appropriations made in this division  
46 of this Act for general administration and for field  
47 operations for resources necessary to implement and  
48 operate the services funded in this section.

49 4. a. Of the funds appropriated in this section,  
50 up to \$30,837,098 is allocated as the statewide

1 expenditure target under section 232.143 for group  
2 foster care maintenance and services. If the  
3 department projects that such expenditures for the  
4 fiscal year will be less than the target amount  
5 allocated in this lettered paragraph, the department  
6 may reallocate the excess to provide additional  
7 funding for shelter care or the child welfare emergency  
8 services addressed with the allocation for shelter  
9 care.

10 b. If at any time after September 30, 2013,  
11 annualization of a service area's current expenditures  
12 indicates a service area is at risk of exceeding its  
13 group foster care expenditure target under section  
14 232.143 by more than 5 percent, the department and  
15 juvenile court services shall examine all group  
16 foster care placements in that service area in order  
17 to identify those which might be appropriate for  
18 termination. In addition, any aftercare services  
19 believed to be needed for the children whose  
20 placements may be terminated shall be identified. The  
21 department and juvenile court services shall initiate  
22 action to set dispositional review hearings for the  
23 placements identified. In such a dispositional review  
24 hearing, the juvenile court shall determine whether  
25 needed aftercare services are available and whether  
26 termination of the placement is in the best interest of  
27 the child and the community.

28 5. In accordance with the provisions of section  
29 232.188, the department shall continue the child  
30 welfare and juvenile justice funding initiative during  
31 fiscal year 2013-2014. Of the funds appropriated in  
32 this section, \$1,717,753 is allocated specifically  
33 for expenditure for fiscal year 2013-2014 through the  
34 decategorization service funding pools and governance  
35 boards established pursuant to section 232.188.

36 6. A portion of the funds appropriated in this  
37 section may be used for emergency family assistance  
38 to provide other resources required for a family  
39 participating in a family preservation or reunification  
40 project or successor project to stay together or to be  
41 reunified.

42 7. Notwithstanding section 234.35 or any other  
43 provision of law to the contrary, state funding for  
44 shelter care and the child welfare emergency services  
45 contracting implemented to provide for or prevent the  
46 need for shelter care shall be limited to \$6,431,868.

47 8. Federal funds received by the state during  
48 the fiscal year beginning July 1, 2013, as the  
49 result of the expenditure of state funds appropriated  
50 during a previous state fiscal year for a service or

1 activity funded under this section are appropriated  
2 to the department to be used as additional funding  
3 for services and purposes provided for under this  
4 section. Notwithstanding section 8.33, moneys  
5 received in accordance with this subsection that remain  
6 unencumbered or unobligated at the close of the fiscal  
7 year shall not revert to any fund but shall remain  
8 available for the purposes designated until the close  
9 of the succeeding fiscal year.

10 9. a. Of the funds appropriated in this section,  
11 up to \$2,062,488 is allocated for the payment of  
12 the expenses of court-ordered services provided to  
13 juveniles who are under the supervision of juvenile  
14 court services, which expenses are a charge upon the  
15 state pursuant to section 232.141, subsection 4. Of  
16 the amount allocated in this lettered paragraph,  
17 up to \$1,556,287 shall be made available to provide  
18 school-based supervision of children adjudicated under  
19 chapter 232, of which not more than \$15,000 may be used  
20 for the purpose of training. A portion of the cost of  
21 each school-based liaison officer shall be paid by the  
22 school district or other funding source as approved by  
23 the chief juvenile court officer.

24 b. Of the funds appropriated in this section, up to  
25 \$748,985 is allocated for the payment of the expenses  
26 of court-ordered services provided to children who are  
27 under the supervision of the department, which expenses  
28 are a charge upon the state pursuant to section  
29 232.141, subsection 4.

30 c. Notwithstanding section 232.141 or any other  
31 provision of law to the contrary, the amounts allocated  
32 in this subsection shall be distributed to the  
33 judicial districts as determined by the state court  
34 administrator and to the department's service areas as  
35 determined by the administrator of the department's  
36 division of child and family services. The state court  
37 administrator and the division administrator shall make  
38 the determination of the distribution amounts on or  
39 before June 15, 2013.

40 d. Notwithstanding chapter 232 or any other  
41 provision of law to the contrary, a district or  
42 juvenile court shall not order any service which is  
43 a charge upon the state pursuant to section 232.141  
44 if there are insufficient court-ordered services  
45 funds available in the district court or departmental  
46 service area distribution amounts to pay for the  
47 service. The chief juvenile court officer and the  
48 departmental service area manager shall encourage use  
49 of the funds allocated in this subsection such that  
50 there are sufficient funds to pay for all court-related

1 services during the entire year. The chief juvenile  
2 court officers and departmental service area managers  
3 shall attempt to anticipate potential surpluses and  
4 shortfalls in the distribution amounts and shall  
5 cooperatively request the state court administrator  
6 or division administrator to transfer funds between  
7 the judicial districts' or departmental service areas'  
8 distribution amounts as prudent.

9 e. Notwithstanding any provision of law to the  
10 contrary, a district or juvenile court shall not order  
11 a county to pay for any service provided to a juvenile  
12 pursuant to an order entered under chapter 232 which  
13 is a charge upon the state under section 232.141,  
14 subsection 4.

15 f. Of the funds allocated in this subsection, not  
16 more than \$83,000 may be used by the judicial branch  
17 for administration of the requirements under this  
18 subsection.

19 g. Of the funds allocated in this subsection,  
20 \$17,000 shall be used by the department of human  
21 services to support the interstate commission for  
22 juveniles in accordance with the interstate compact for  
23 juveniles as provided in section 232.173.

24 10. Of the funds appropriated in this section,  
25 \$6,022,602 is allocated for juvenile delinquent  
26 graduated sanctions services. Any state funds saved as  
27 a result of efforts by juvenile court services to earn  
28 federal Tit. IV-E match for juvenile court services  
29 administration may be used for the juvenile delinquent  
30 graduated sanctions services.

31 11. Of the funds appropriated in this section,  
32 \$1,288,285 is transferred to the department of public  
33 health to be used for the child protection center  
34 grant program in accordance with section 135.118. The  
35 grant amounts under the program shall be equalized so  
36 that each center receives a uniform amount of at least  
37 \$245,000.

38 12. If the department receives federal approval  
39 to implement a waiver under Tit. IV-E of the federal  
40 Social Security Act to enable providers to serve  
41 children who remain in the children's families and  
42 communities, for purposes of eligibility under the  
43 medical assistance program, children who participate in  
44 the waiver shall be considered to be placed in foster  
45 care.

46 13. Of the funds appropriated in this section,  
47 \$3,092,375 is allocated for the preparation for adult  
48 living program pursuant to section 234.46.

49 14. Of the funds appropriated in this section,  
50 \$520,150 shall be used for juvenile drug courts.

1 The amount allocated in this subsection shall be  
2 distributed as follows:  
3 To the judicial branch for salaries to assist with  
4 the operation of juvenile drug court programs operated  
5 in the following jurisdictions:  
6 a. Marshall county:  
7 ..... \$ 62,708  
8 b. Woodbury county:  
9 ..... \$ 125,682  
10 c. Polk county:  
11 ..... \$ 195,892  
12 d. The third judicial district:  
13 ..... \$ 67,934  
14 e. The eighth judicial district:  
15 ..... \$ 67,934  
16 15. Of the funds appropriated in this section,  
17 \$227,337 shall be used for the public purpose of  
18 continuing a grant to a nonprofit human services  
19 organization providing services to individuals and  
20 families in multiple locations in southwest Iowa and  
21 Nebraska for support of a project providing immediate,  
22 sensitive support and forensic interviews, medical  
23 exams, needs assessments, and referrals for victims of  
24 child abuse and their nonoffending family members.  
25 16. Of the funds appropriated in this section,  
26 \$200,590 is allocated for the foster care youth council  
27 approach of providing a support network to children  
28 placed in foster care.  
29 17. Of the funds appropriated in this section,  
30 \$202,000 is allocated for use pursuant to section  
31 235A.1 for continuation of the initiative to address  
32 child sexual abuse implemented pursuant to 2007 Iowa  
33 Acts, chapter 218, section 18, subsection 21.  
34 18. Of the funds appropriated in this section,  
35 \$630,240 is allocated for the community partnership for  
36 child protection sites.  
37 19. Of the funds appropriated in this section,  
38 \$371,250 is allocated for the department's minority  
39 youth and family projects under the redesign of the  
40 child welfare system.  
41 20. Of the funds appropriated in this section,  
42 \$1,436,595 is allocated for funding of the community  
43 circle of care collaboration for children and youth in  
44 northeast Iowa.  
45 21. Of the funds appropriated in this section, at  
46 least \$147,158 shall be used for the child welfare  
47 training academy.  
48 22. Of the funds appropriated in this section,  
49 \$25,000 shall be used for the public purpose of  
50 continuation of a grant to a child welfare services

1 provider headquartered in a county with a population  
2 between 205,000 and 215,000 in the latest certified  
3 federal census that provides multiple services  
4 including but not limited to a psychiatric medical  
5 institution for children, shelter, residential  
6 treatment, after school programs, school-based  
7 programming, and an Asperger's syndrome program, to  
8 be used for support services for children with autism  
9 spectrum disorder and their families.

10 23. Of the funds appropriated in this section,  
11 \$25,000 shall be used for the public purpose of  
12 continuing a grant to a hospital-based provider  
13 headquartered in a county with a population between  
14 90,000 and 95,000 in the latest certified federal  
15 census that provides multiple services including but  
16 not limited to diagnostic, therapeutic, and behavioral  
17 services to individuals with autism spectrum disorder  
18 across the lifespan. The grant recipient shall utilize  
19 the funds to continue the pilot project to determine  
20 the necessary support services for children with autism  
21 spectrum disorder and their families to be included in  
22 the children's disabilities services system. The grant  
23 recipient shall submit findings and recommendations  
24 based upon the results of the pilot project to the  
25 individuals specified in this division of this Act for  
26 submission of reports by December 31, 2013.

27 24. Of the funds appropriated in this section,  
28 \$327,947 shall be used for continuation of the central  
29 Iowa system of care program grant through June 30,  
30 2014.

31 25. Of the funds appropriated in this section,  
32 \$160,000 shall be used for the public purpose of the  
33 continuation of a system of care grant implemented in  
34 Cerro Gordo and Linn counties.

35 26. Of the funds appropriated in this section,  
36 at least \$25,000 shall be used to continue and to  
37 expand the foster care respite pilot program in which  
38 postsecondary students in social work and other human  
39 services-related programs receive experience by  
40 assisting family foster care providers with respite and  
41 other support.

42 Sec. 18. ADOPTION SUBSIDY.

43 1. There is appropriated from the general fund of  
44 the state to the department of human services for the  
45 fiscal year beginning July 1, 2013, and ending June 30,  
46 2014, the following amount, or so much thereof as is  
47 necessary, to be used for the purpose designated:

48 For adoption subsidy payments and services:  
49 ..... \$ 39,156,832

50 2. The department may transfer funds appropriated



1 in this section to the appropriation made in this  
2 division of this Act for general administration for  
3 costs paid from the appropriation relating to adoption  
4 subsidy.

5 3. Federal funds received by the state during the  
6 fiscal year beginning July 1, 2013, as the result of  
7 the expenditure of state funds during a previous state  
8 fiscal year for a service or activity funded under  
9 this section are appropriated to the department to  
10 be used as additional funding for the services and  
11 activities funded under this section. Notwithstanding  
12 section 8.33, moneys received in accordance with this  
13 subsection that remain unencumbered or unobligated at  
14 the close of the fiscal year shall not revert to any  
15 fund but shall remain available for expenditure for the  
16 purposes designated until the close of the succeeding  
17 fiscal year.

18 Sec. 19. JUVENILE DETENTION HOME FUND. Moneys  
19 deposited in the juvenile detention home fund  
20 created in section 232.142 during the fiscal year  
21 beginning July 1, 2013, and ending June 30, 2014, are  
22 appropriated to the department of human services for  
23 the fiscal year beginning July 1, 2013, and ending  
24 June 30, 2014, for distribution of an amount equal  
25 to a percentage of the costs of the establishment,  
26 improvement, operation, and maintenance of county or  
27 multicounty juvenile detention homes in the fiscal  
28 year beginning July 1, 2012. Moneys appropriated for  
29 distribution in accordance with this section shall be  
30 allocated among eligible detention homes, prorated on  
31 the basis of an eligible detention home's proportion  
32 of the costs of all eligible detention homes in the  
33 fiscal year beginning July 1, 2012. The percentage  
34 figure shall be determined by the department based on  
35 the amount available for distribution for the fund.  
36 Notwithstanding section 232.142, subsection 3, the  
37 financial aid payable by the state under that provision  
38 for the fiscal year beginning July 1, 2013, shall be  
39 limited to the amount appropriated for the purposes of  
40 this section.

41 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM.

42 1. There is appropriated from the general fund of  
43 the state to the department of human services for the  
44 fiscal year beginning July 1, 2013, and ending June 30,  
45 2014, the following amount, or so much thereof as is  
46 necessary, to be used for the purpose designated:

47 For the family support subsidy program subject  
48 to the enrollment restrictions in section 225C.37,  
49 subsection 3:

50 ..... \$ 994,955



1 2. The department shall use at least \$385,500 of  
2 the moneys appropriated in this section for the family  
3 support center component of the comprehensive family  
4 support program under section 225C.47. Not more than  
5 \$25,000 of the amount allocated in this subsection  
6 shall be used for administrative costs.

7 3. If at any time during the fiscal year, the  
8 amount of funding available for the family support  
9 subsidy program is reduced from the amount initially  
10 used to establish the figure for the number of family  
11 members for whom a subsidy is to be provided at any one  
12 time during the fiscal year, notwithstanding section  
13 225C.38, subsection 2, the department shall revise the  
14 figure as necessary to conform to the amount of funding  
15 available.

16 Sec. 21. CONNER DECREE. There is appropriated from  
17 the general fund of the state to the department of  
18 human services for the fiscal year beginning July 1,  
19 2013, and ending June 30, 2014, the following amount,  
20 or so much thereof as is necessary, to be used for the  
21 purpose designated:

22 For building community capacity through the  
23 coordination and provision of training opportunities  
24 in accordance with the consent decree of Conner v.  
25 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):  
26 ..... \$ 33,622

27 Sec. 22. MENTAL HEALTH INSTITUTES. There is  
28 appropriated from the general fund of the state to  
29 the department of human services for the fiscal year  
30 beginning July 1, 2013, and ending June 30, 2014, the  
31 following amounts, or so much thereof as is necessary,  
32 to be used for the purposes designated:

33 1. For the state mental health institute at  
34 Cherokee for salaries, support, maintenance, and  
35 miscellaneous purposes, and for not more than the  
36 following full-time equivalent positions:  
37 ..... \$ 5,975,057  
38 ..... FTEs 168.50

39 If recommended by the superintendent, the department  
40 may sell or transfer ownership of unused facilities at  
41 the state mental health institute to the city in which  
42 the institute is located.

43 2. For the state mental health institute at  
44 Clarinda for salaries, support, maintenance, and  
45 miscellaneous purposes, and for not more than the  
46 following full-time equivalent positions:  
47 ..... \$ 6,772,460  
48 ..... FTEs 86.10

49 3. For the state mental health institute at  
50 Independence for salaries, support, maintenance, and

1 miscellaneous purposes, and for not more than the  
2 following full-time equivalent positions:  
3 ..... \$ 10,339,371  
4 ..... FTEs 233.00  
5 4. For the state mental health institute at Mount  
6 Pleasant for salaries, support, maintenance, and  
7 miscellaneous purposes, and for not more than the  
8 following full-time equivalent positions:  
9 ..... \$ 1,387,278  
10 ..... FTEs 97.92

11 Sec. 23. STATE RESOURCE CENTERS.

12 1. There is appropriated from the general fund of  
13 the state to the department of human services for the  
14 fiscal year beginning July 1, 2013, and ending June 30,  
15 2014, the following amounts, or so much thereof as is  
16 necessary, to be used for the purposes designated:  
17 a. For the state resource center at Glenwood for  
18 salaries, support, maintenance, and miscellaneous  
19 purposes:  
20 ..... \$ 20,046,519  
21 b. For the state resource center at Woodward for  
22 salaries, support, maintenance, and miscellaneous  
23 purposes:  
24 ..... \$ 13,809,566

25 2. The department may continue to bill for state  
26 resource center services utilizing a scope of services  
27 approach used for private providers of ICFID services,  
28 in a manner which does not shift costs between the  
29 medical assistance program, counties, or other sources  
30 of funding for the state resource centers.

31 3. The state resource centers may expand the  
32 time-limited assessment and respite services during the  
33 fiscal year.

34 4. If the department's administration and the  
35 department of management concur with a finding by a  
36 state resource center's superintendent that projected  
37 revenues can reasonably be expected to pay the salary  
38 and support costs for a new employee position, or  
39 that such costs for adding a particular number of new  
40 positions for the fiscal year would be less than the  
41 overtime costs if new positions would not be added, the  
42 superintendent may add the new position or positions.  
43 If the vacant positions available to a resource center  
44 do not include the position classification desired to  
45 be filled, the state resource center's superintendent  
46 may reclassify any vacant position as necessary to  
47 fill the desired position. The superintendents of the  
48 state resource centers may, by mutual agreement, pool  
49 vacant positions and position classifications during  
50 the course of the fiscal year in order to assist one

1 another in filling necessary positions.  
2 5. If existing capacity limitations are reached  
3 in operating units, a waiting list is in effect  
4 for a service or a special need for which a payment  
5 source or other funding is available for the service  
6 or to address the special need, and facilities for  
7 the service or to address the special need can be  
8 provided within the available payment source or other  
9 funding, the superintendent of a state resource center  
10 may authorize opening not more than two units or  
11 other facilities and begin implementing the service  
12 or addressing the special need during fiscal year  
13 2013-2014.

14 Sec. 24. SEXUALLY VIOLENT PREDATORS.

15 1. There is appropriated from the general fund of  
16 the state to the department of human services for the  
17 fiscal year beginning July 1, 2013, and ending June 30,  
18 2014, the following amount, or so much thereof as is  
19 necessary, to be used for the purpose designated:

20 For costs associated with the commitment and  
21 treatment of sexually violent predators in the unit  
22 located at the state mental health institute at  
23 Cherokee, including costs of legal services and  
24 other associated costs, including salaries, support,  
25 maintenance, and miscellaneous purposes, and for not  
26 more than the following full-time equivalent positions:  
27 ..... \$ 10,961,969  
28 ..... FTES 124.50

29 2. Unless specifically prohibited by law, if the  
30 amount charged provides for recoupment of at least  
31 the entire amount of direct and indirect costs, the  
32 department of human services may contract with other  
33 states to provide care and treatment of persons placed  
34 by the other states at the unit for sexually violent  
35 predators at Cherokee. The moneys received under such  
36 a contract shall be considered to be repayment receipts  
37 and used for the purposes of the appropriation made in  
38 this section.

39 Sec. 25. FIELD OPERATIONS. There is appropriated  
40 from the general fund of the state to the department of  
41 human services for the fiscal year beginning July 1,  
42 2013, and ending June 30, 2014, the following amount,  
43 or so much thereof as is necessary, to be used for the  
44 purposes designated:

45 For field operations, including salaries, support,  
46 maintenance, and miscellaneous purposes, and for not  
47 more than the following full-time equivalent positions:  
48 ..... \$ 62,731,674  
49 ..... FTES 1,781.00

50 Priority in filling full-time equivalent positions

1 shall be given to those positions related to child  
2 protection services and eligibility determination for  
3 low-income families.

4 Sec. 26. GENERAL ADMINISTRATION. There is  
5 appropriated from the general fund of the state to  
6 the department of human services for the fiscal year  
7 beginning July 1, 2013, and ending June 30, 2014, the  
8 following amount, or so much thereof as is necessary,  
9 to be used for the purpose designated:

10 For general administration, including salaries,  
11 support, maintenance, and miscellaneous purposes, and  
12 for not more than the following full-time equivalent  
13 positions:

14 .....	\$ 15,300,045
15 ..... FTEs	307.00

16 1. Of the funds appropriated in this section,  
17 \$63,543 is allocated for the prevention of disabilities  
18 policy council established in section 225B.3. Of the  
19 amount allocated in this subsection, \$25,000 shall be  
20 passed through to the council for the costs involved  
21 with holding a summit meeting of the multiple entities  
22 providing services to persons with disabilities. The  
23 focus of the summit meeting shall be to review existing  
24 disability prevention activities in order to identify  
25 cost effective public policy options for reaching the  
26 greatest number of children and adults in order to  
27 eliminate the risk of disabilities. The review shall  
28 also address options for health care services available  
29 to youth transitioning to the adult system of health  
30 care. The council shall report to the individuals  
31 identified in this Act for submission of reports within  
32 30 calendar days of completing the summit meeting  
33 concerning the review, policy options identified, and  
34 recommendations made.

35 2. The department shall report at least monthly  
36 to the legislative services agency concerning the  
37 department's operational and program expenditures.

38 3. Of the funds appropriated in this section,  
39 \$50,000 is transferred to the Iowa finance authority  
40 to be used for administrative support of the council  
41 on homelessness established in section 16.100A and for  
42 the council to fulfill its duties in addressing and  
43 reducing homelessness in the state.

44 Sec. 27. VOLUNTEERS. There is appropriated from  
45 the general fund of the state to the department of  
46 human services for the fiscal year beginning July 1,  
47 2013, and ending June 30, 2014, the following amount,  
48 or so much thereof as is necessary, to be used for the  
49 purpose designated:

50 For development and coordination of volunteer

1 services:

2 ..... \$ 84,660

3 Sec. 28. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
4 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED  
5 UNDER THE DEPARTMENT OF HUMAN SERVICES.

6 1. a. (1) For the fiscal year beginning July 1,  
7 2013, the total state funding amount for the nursing  
8 facility budget shall not exceed \$267,712,511.

9 (2) For the fiscal year beginning July 1, 2013,  
10 the department shall rebase case-mix nursing facility  
11 rates effective July 1, 2013. However, total nursing  
12 facility budget expenditures, including both case-mix  
13 and noncase-mix shall not exceed the amount specified  
14 in subparagraph (1). When calculating case-mix per  
15 diem cost and the patient-day-weighted medians used in  
16 rate-setting for nursing facilities effective July 1,  
17 2013, the inflation factor applied from the midpoint  
18 of the cost report period to the first day of the  
19 state fiscal year rate period shall be adjusted to  
20 maintain state funding within the amount specified in  
21 subparagraph (1).

22 (3) The department, in cooperation with nursing  
23 facility representatives, shall review projections for  
24 state funding expenditures for reimbursement of nursing  
25 facilities on a quarterly basis and the department  
26 shall determine if an adjustment to the medical  
27 assistance reimbursement rate is necessary in order to  
28 provide reimbursement within the state funding amount  
29 for the fiscal year. Notwithstanding 2001 Iowa Acts,  
30 chapter 192, section 4, subsection 2, paragraph "c",  
31 and subsection 3, paragraph "a", subparagraph (2), if  
32 the state funding expenditures for the nursing facility  
33 budget for the fiscal year is projected to exceed the  
34 amount specified in subparagraph (1), the department  
35 shall adjust the reimbursement for nursing facilities  
36 reimbursed under the case-mix reimbursement system to  
37 maintain expenditures of the nursing facility budget  
38 within the specified amount for the fiscal year.

39 (4) For the fiscal year beginning July 1, 2013,  
40 special population nursing facilities shall be  
41 reimbursed in accordance with the methodology in effect  
42 on June 30, 2013.

43 b. (1) For the fiscal year beginning July 1, 2013,  
44 the department shall establish the pharmacy dispensing  
45 fee reimbursement at \$10.17 per prescription. The  
46 actual dispensing fee shall be determined by a cost  
47 of dispensing survey performed by the department and  
48 required to be completed by all medical assistance  
49 program participating pharmacies every two years  
50 beginning in FY 2014-2015.

1 (2) The department shall utilize an average  
2 acquisition cost reimbursement methodology for all  
3 drugs covered under the medical assistance program in  
4 accordance with 2012 Iowa Acts, chapter 1133, section  
5 33.

6 c. (1) For the fiscal year beginning July 1, 2013,  
7 reimbursement rates for outpatient hospital services  
8 shall remain at the rates in effect on June 30, 2013.

9 (2) For the fiscal year beginning July 1, 2013,  
10 reimbursement rates for inpatient hospital services  
11 shall remain at the rates in effect on June 30, 2013.

12 (3) For the fiscal year beginning July 1, 2013,  
13 the graduate medical education and disproportionate  
14 share hospital fund shall remain at the amount in  
15 effect on June 30, 2013, except that the portion of  
16 the fund attributable to graduate medical education  
17 shall be reduced in an amount that reflects the  
18 elimination of graduate medical education payments made  
19 to out-of-state hospitals.

20 (4) In order to ensure the efficient use of limited  
21 state funds in procuring health care services for  
22 low-income Iowans, funds appropriated in this Act for  
23 hospital services shall not be used for activities  
24 which would be excluded from a determination of  
25 reasonable costs under the federal Medicare program  
26 pursuant to 42 U.S.C. { 1395X(v)(1)(N).

27 d. For the fiscal year beginning July 1, 2013,  
28 reimbursement rates for rural health clinics, hospices,  
29 and acute mental hospitals shall be increased in  
30 accordance with increases under the federal Medicare  
31 program or as supported by their Medicare audited  
32 costs.

33 e. For the fiscal year beginning July 1, 2013,  
34 independent laboratories and rehabilitation agencies  
35 shall be reimbursed using the same methodology in  
36 effect on June 30, 2013.

37 f. For the fiscal year beginning July 1, 2013,  
38 reimbursement rates for home health agencies shall  
39 remain at the rates in effect on June 30, 2013, not to  
40 exceed a home health agency's actual allowable cost.

41 g. For the fiscal year beginning July 1, 2013,  
42 federally qualified health centers shall receive  
43 cost-based reimbursement for 100 percent of the  
44 reasonable costs for the provision of services to  
45 recipients of medical assistance.

46 h. For the fiscal year beginning July 1, 2013, the  
47 reimbursement rates for dental services shall remain at  
48 the rates in effect on June 30, 2013.

49 i. (1) For the fiscal year beginning July 1,  
50 2013, state-owned psychiatric medical institutions



1 for children shall receive cost-based reimbursement  
2 for 100 percent of the actual and allowable costs for  
3 the provision of services to recipients of medical  
4 assistance.

5 (2) For the nonstate-owned psychiatric medical  
6 institutions for children, reimbursement rates shall be  
7 based on the reimbursement methodology developed by the  
8 department as required for federal compliance.

9 (3) As a condition of participation in the medical  
10 assistance program, enrolled providers shall accept the  
11 medical assistance reimbursement rate for any covered  
12 goods or services provided to recipients of medical  
13 assistance who are children under the custody of a  
14 psychiatric medical institution for children.

15 j. For the fiscal year beginning July 1,  
16 2013, unless otherwise specified in this Act,  
17 all noninstitutional medical assistance provider  
18 reimbursement rates shall remain at the rates in effect  
19 on June 30, 2013, except for area education agencies,  
20 local education agencies, infant and toddler services  
21 providers, and those providers whose rates are required  
22 to be determined pursuant to section 249A.20.

23 k. Notwithstanding any provision to the contrary,  
24 for the fiscal year beginning July 1, 2013, the  
25 reimbursement rate for anesthesiologists shall remain  
26 at the rate in effect on June 30, 2013.

27 l. For the fiscal year beginning July 1, 2013, the  
28 average reimbursement rate for health care providers  
29 eligible for use of the federal Medicare resource-based  
30 relative value scale reimbursement methodology under  
31 section 249A.20 shall remain at the rate in effect on  
32 June 30, 2013; however, this rate shall not exceed the  
33 maximum level authorized by the federal government.

34 m. For the fiscal year beginning July 1, 2013, the  
35 reimbursement rate for residential care facilities  
36 shall not be less than the minimum payment level as  
37 established by the federal government to meet the  
38 federally mandated maintenance of effort requirement.  
39 The flat reimbursement rate for facilities electing not  
40 to file annual cost reports shall not be less than the  
41 minimum payment level as established by the federal  
42 government to meet the federally mandated maintenance  
43 of effort requirement.

44 n. For the fiscal year beginning July 1, 2013,  
45 inpatient mental health services provided at hospitals  
46 shall remain at the rates in effect on June 30,  
47 2013, subject to Medicaid program upper payment  
48 limit rules; community mental health centers and  
49 providers of mental health services to county residents  
50 pursuant to a waiver approved under section 225C.7,



1 subsection 3, shall be reimbursed at 100 percent of  
2 the reasonable costs for the provision of services to  
3 recipients of medical assistance; and psychiatrists  
4 shall be reimbursed at the medical assistance program  
5 fee-for-service rate.

6 o. For the fiscal year beginning July 1, 2013, the  
7 reimbursement rate for consumer-directed attendant care  
8 shall remain at the rates in effect on June 30, 2013.

9 p. For the fiscal year beginning July 1, 2013, the  
10 reimbursement rate for providers of family planning  
11 services that are eligible to receive a 90 percent  
12 federal match shall remain at the rates in effect on  
13 June 30, 2013.

14 q. For the fiscal year beginning July 1, 2013, the  
15 upper limits on reimbursement rates for providers of  
16 home and community-based services waiver services shall  
17 be the limits in effect on June 30, 2013, pursuant  
18 to [441 IAC 79.1](#)(2), based on federal Medicare rates,  
19 federal veterans administration rates, or the dollar  
20 amount specified in rule, regardless of the providers'  
21 previous Medicaid program rate.

22 2. For the fiscal year beginning July 1, 2013, the  
23 reimbursement rate for providers reimbursed under the  
24 in-home-related care program shall not be less than the  
25 minimum payment level as established by the federal  
26 government to meet the federally mandated maintenance  
27 of effort requirement.

28 3. Unless otherwise directed in this section, when  
29 the department's reimbursement methodology for any  
30 provider reimbursed in accordance with this section  
31 includes an inflation factor, this factor shall not  
32 exceed the amount by which the consumer price index for  
33 all urban consumers increased during the calendar year  
34 ending December 31, 2002.

35 4. For the fiscal year beginning July 1, 2013,  
36 the foster family basic daily maintenance rate and  
37 the maximum adoption subsidy rate for children ages 0  
38 through 5 years shall be \$15.98, the rate for children  
39 ages 6 through 11 years shall be \$16.62, the rate for  
40 children ages 12 through 15 years shall be \$18.19,  
41 and the rate for children and young adults ages 16  
42 and older shall be \$18.43. The maximum supervised  
43 apartment living foster care reimbursement rate shall  
44 be \$25.00 per day. For youth ages 18 to 21 who have  
45 exited foster care, the maximum preparation for adult  
46 living program maintenance rate shall be \$574.00 per  
47 month. The payment for adoption subsidy nonrecurring  
48 expenses shall be limited to \$500 and the disallowance  
49 of additional amounts for court costs and other related  
50 legal expenses implemented pursuant to 2010 Iowa Acts,

1 chapter 1031, section 408 shall be continued.

2 5. For the fiscal year beginning July 1, 2013,  
3 the maximum reimbursement rates under the supervised  
4 apartment living program and for social services  
5 providers under contract shall remain at the rates  
6 in effect on June 30, 2013, or the provider's actual  
7 and allowable cost plus inflation for each service,  
8 whichever is less. However, if a new service or  
9 service provider is added after June 30, 2013, the  
10 initial reimbursement rate for the service or provider  
11 shall be based upon a weighted average of provider  
12 rates for similar services.

13 6. For the fiscal year beginning July 1, 2013,  
14 the reimbursement rates for family-centered service  
15 providers, family foster care service providers, group  
16 foster care service providers, and the resource family  
17 recruitment and retention contractor shall remain at  
18 the rates in effect on June 30, 2013.

19 7. The group foster care reimbursement rates  
20 paid for placement of children out of state shall  
21 be calculated according to the same rate-setting  
22 principles as those used for in-state providers,  
23 unless the director of human services or the director's  
24 designee determines that appropriate care cannot be  
25 provided within the state. The payment of the daily  
26 rate shall be based on the number of days in the  
27 calendar month in which service is provided.

28 8. a. For the fiscal year beginning July 1, 2013,  
29 the reimbursement rate paid for shelter care and  
30 the child welfare emergency services implemented to  
31 provide or prevent the need for shelter care shall be  
32 established by contract.

33 b. For the fiscal year beginning July 1, 2013,  
34 the combined service and maintenance components of  
35 the reimbursement rate paid for shelter care services  
36 shall be based on the financial and statistical report  
37 submitted to the department. The maximum reimbursement  
38 rate shall be \$92.36 per day. The department shall  
39 reimburse a shelter care provider at the provider's  
40 actual and allowable unit cost, plus inflation, not to  
41 exceed the maximum reimbursement rate.

42 c. For the fiscal year beginning July 1, 2013,  
43 the amount of the statewide average of the actual and  
44 allowable rates for reimbursement of juvenile shelter  
45 care homes that is utilized for the limitation on  
46 recovery of unpaid costs shall remain at the amount in  
47 effect for this purpose in the fiscal year beginning  
48 July 1, 2012.

49 9. For the fiscal year beginning July 1, 2013,  
50 the department shall calculate reimbursement rates

1 for intermediate care facilities for persons with  
2 intellectual disabilities at the 80th percentile.  
3 Beginning July 1, 2013, the rate calculation  
4 methodology shall utilize the consumer price index  
5 inflation factor applicable to the fiscal year  
6 beginning July 1, 2013.

7 10. For the fiscal year beginning July 1, 2013,  
8 for child care providers reimbursed under the state  
9 child care assistance program, the department shall  
10 set provider reimbursement rates based on the rate  
11 reimbursement survey completed in December 2004.  
12 Effective July 1, 2013, the child care provider  
13 reimbursement rates shall remain at the rates in effect  
14 on June 30, 2013. The department shall set rates in a  
15 manner so as to provide incentives for a nonregistered  
16 provider to become registered by applying any increase  
17 only to registered and licensed providers.

18 11. The department may adopt emergency rules to  
19 implement this section.

20 Sec. 29. EMERGENCY RULES.

21 1. If specifically authorized by a provision  
22 of this division of this Act for the fiscal year  
23 beginning July 1, 2013, the department of human  
24 services or the mental health, and disability services  
25 commission may adopt administrative rules under section  
26 17A.4, subsection 3, and section 17A.5, subsection  
27 2, paragraph "b", to implement the provisions and  
28 the rules shall become effective immediately upon  
29 filing or on a later effective date specified in the  
30 rules, unless the effective date is delayed by the  
31 administrative rules review committee. Any rules  
32 adopted in accordance with this section shall not  
33 take effect before the rules are reviewed by the  
34 administrative rules review committee. The delay  
35 authority provided to the administrative rules review  
36 committee under section 17A.4, subsection 7, and  
37 section 17A.8, subsection 9, shall be applicable to a  
38 delay imposed under this section, notwithstanding a  
39 provision in those sections making them inapplicable  
40 to section 17A.5, subsection 2, paragraph "b". Any  
41 rules adopted in accordance with the provisions of this  
42 section shall also be published as notice of intended  
43 action as provided in section 17A.4.

44 2. If during the fiscal year beginning July 1,  
45 2013, the department of human services is adopting  
46 rules in accordance with this section or as otherwise  
47 directed or authorized by state law, and the rules will  
48 result in an expenditure increase beyond the amount  
49 anticipated in the budget process or if the expenditure  
50 was not addressed in the budget process for the

1 fiscal year, the department shall notify the persons  
2 designated by this division of this Act for submission  
3 of reports, the chairpersons and ranking members of  
4 the committees on appropriations, and the department  
5 of management concerning the rules and the expenditure  
6 increase. The notification shall be provided at least  
7 30 calendar days prior to the date notice of the rules  
8 is submitted to the administrative rules coordinator  
9 and the administrative code editor.

10 Sec. 30. REPORTS. Any reports or other information  
11 required to be compiled and submitted under this Act  
12 during the fiscal year beginning July 1, 2013, shall  
13 be submitted to the chairpersons and ranking members  
14 of the joint appropriations subcommittee on health and  
15 human services, the legislative services agency, and  
16 the legislative caucus staffs on or before the dates  
17 specified for submission of the reports or information.

18 DIVISION V

19 HEALTH CARE ACCOUNTS AND FUNDS ---- FY 2013-2014

20 Sec. 31. PHARMACEUTICAL SETTLEMENT ACCOUNT. There  
21 is appropriated from the pharmaceutical settlement  
22 account created in section 249A.33 to the department of  
23 human services for the fiscal year beginning July 1,  
24 2013, and ending June 30, 2014, the following amount,  
25 or so much thereof as is necessary, to be used for the  
26 purpose designated:

27 Notwithstanding any provision of law to the  
28 contrary, to supplement the appropriations made in this  
29 Act for medical contracts under the medical assistance  
30 program for the fiscal year beginning July 1, 2013, and  
31 ending June 30, 2014:

32 ..... \$ 6,650,000

33 Sec. 32. APPROPRIATIONS FROM IOWACARE ACCOUNT.

34 1. There is appropriated from the IowaCare account  
35 created in section 249J.24 to the state board of  
36 regents for distribution to the university of Iowa  
37 hospitals and clinics for the fiscal year beginning  
38 July 1, 2013, and ending June 30, 2014, for the program  
39 period beginning July 1, 2013, and ending December 31,  
40 2013, the following amount, or so much thereof as is  
41 necessary, to be used for the purposes designated:

42 For salaries, support, maintenance, equipment, and  
43 miscellaneous purposes, for the provision of medical  
44 and surgical treatment of indigent patients, for  
45 provision of services to members of the expansion  
46 population pursuant to chapter 249J, and for medical  
47 education:

48 ..... \$ 13,642,292

49 a. Funds appropriated in this section shall not be  
50 used for the willful termination of human life.

1 b. Notwithstanding any provision of law to the  
2 contrary, the amount appropriated in this subsection  
3 shall be distributed based on claims submitted,  
4 adjudicated, and paid by the Iowa Medicaid enterprise.

5 c. The university of Iowa hospitals and clinics  
6 shall certify public expenditures in an amount equal  
7 to provide the nonfederal share on total expenditures  
8 not to exceed \$10,000,000.

9 2. There is appropriated from the IowaCare account  
10 created in section 249J.24 to the state board of  
11 regents for distribution to the university of Iowa  
12 hospitals and clinics for the fiscal year beginning  
13 July 1, 2013, and ending June 30, 2014, for the program  
14 period beginning July 1, 2013, and ending December 31,  
15 2013, the following amount, or so much thereof as is  
16 necessary, to be used for the purposes designated:

17 For salaries, support, maintenance, equipment, and  
18 miscellaneous purposes, for the provision of medical  
19 and surgical treatment of indigent patients, for  
20 provision of services to members of the expansion  
21 population pursuant to chapter 249J, and for medical  
22 education:

23 ..... \$ 26,284,600

24 Notwithstanding any provision of law to the  
25 contrary, the amount appropriated in this subsection  
26 shall be distributed based on claims submitted,  
27 adjudicated, and paid by the Iowa Medicaid enterprise.

28 3. There is appropriated from the IowaCare  
29 account created in section 249J.24 to the state  
30 board of regents for distribution to university of  
31 Iowa physicians for the fiscal year beginning July  
32 1, 2013, and ending June 30, 2014, for the program  
33 period beginning July 1, 2013, and ending December 31,  
34 2013, the following amount, or so much thereof as is  
35 necessary to be used for the purposes designated:

36 For salaries, support, maintenance, equipment, and  
37 miscellaneous purposes for the provision of medical and  
38 surgical treatment of indigent patients, for provision  
39 of services to members of the expansion population  
40 pursuant to chapter 249J, and for medical education:

41 ..... \$ 9,903,183

42 Notwithstanding any provision of law to the  
43 contrary, the amount appropriated in this subsection  
44 shall be distributed based on claims submitted,  
45 adjudicated, and paid by the Iowa Medicaid enterprise.  
46 Once the entire amount appropriated in this subsection  
47 has been distributed, claims shall continue to  
48 be submitted and adjudicated by the Iowa Medicaid  
49 enterprise; however, no payment shall be made based  
50 upon such claims.

1 4. There is appropriated from the IowaCare account  
2 created in section 249J.24 to the department of  
3 human services for the fiscal year beginning July  
4 1, 2013, and ending June 30, 2014, for the program  
5 period beginning July 1, 2013, and ending December 31,  
6 2013, the following amount, or so much thereof as is  
7 necessary, to be used for the purposes designated:

8 For distribution to a publicly owned acute care  
9 teaching hospital located in a county with a population  
10 over 350,000 for the provision of medical and surgical  
11 treatment of indigent patients, for provision of  
12 services to members of the expansion population  
13 pursuant to chapter 249J, and for medical education:  
14 ..... \$ 33,750,000

15 a. Notwithstanding any provision of law to the  
16 contrary, the amount appropriated in this subsection  
17 shall be distributed based on claims submitted,  
18 adjudicated, and paid by the Iowa Medicaid enterprise  
19 plus a monthly disproportionate share hospital payment.  
20 Any amount appropriated in this subsection in excess  
21 of \$32,000,000 shall be distributed only if the sum of  
22 the expansion population claims adjudicated and paid  
23 by the Iowa Medicaid enterprise plus the estimated  
24 disproportionate share hospital payments exceeds  
25 \$32,000,000. The amount paid in excess of \$32,000,000  
26 shall not adjust the original monthly payment amount  
27 but shall be distributed monthly based on actual  
28 claims adjudicated and paid by the Iowa Medicaid  
29 enterprise plus the estimated disproportionate share  
30 hospital amount. Any amount appropriated in this  
31 subsection in excess of \$32,000,000 shall be allocated  
32 only if federal funds are available to match the  
33 amount allocated. Pursuant to paragraph "b", of the  
34 amount appropriated in this subsection, not more than  
35 \$2,000,000 shall be distributed for prescription drugs,  
36 podiatry services, optometric services, and durable  
37 medical equipment.

38 b. Notwithstanding any provision of law to the  
39 contrary, the hospital identified in this subsection  
40 shall be reimbursed for outpatient prescription  
41 drugs, podiatry services, optometric services, and  
42 durable medical equipment provided to members of the  
43 expansion population pursuant to all applicable medical  
44 assistance program rules, in an amount not to exceed  
45 \$2,000,000.

46 c. Notwithstanding the total amount of proceeds  
47 distributed pursuant to section 249J.24, subsection 4,  
48 paragraph "a", unnumbered paragraph 1, for the fiscal  
49 year beginning July 1, 2013, and ending June 30, 2014,  
50 the county treasurer of a county with a population



1 of over 350,000 in which a publicly owned acute care  
2 teaching hospital is located shall distribute the  
3 proceeds collected pursuant to section 347.7 between  
4 July 1, 2013, and December 31, 2013, in a total amount  
5 of \$19,000,000, which would otherwise be distributed  
6 to the county hospital, to the treasurer of state for  
7 deposit in the IowaCare account.

8 d. Notwithstanding the amount collected and  
9 distributed for deposit in the IowaCare account  
10 pursuant to section 249J.24, subsection 4, paragraph  
11 "a", subparagraph (1), the first \$19,000,000 in  
12 proceeds collected pursuant to section 347.7 between  
13 July 1, 2013, and December 31, 2013, shall be  
14 distributed to the treasurer of state for deposit in  
15 the IowaCare account and collections during this time  
16 period in excess of \$19,000,000 shall be distributed  
17 to the acute care teaching hospital identified in  
18 this subsection. Of the collections in excess of  
19 the \$19,000,000 received by the acute care teaching  
20 hospital under this paragraph "d", \$2,000,000 shall be  
21 distributed by the acute care teaching hospital to the  
22 treasurer of state for deposit in the IowaCare account  
23 in the month of January 2014, following the July 1  
24 through December 31, 2013, period.

25 5. There is appropriated from the IowaCare account  
26 created in section 249J.24 to the department of  
27 human services for the fiscal year beginning July  
28 1, 2013, and ending June 30, 2014, for the program  
29 period beginning July 1, 2013, and ending December 31,  
30 2013, the following amount, or so much thereof as is  
31 necessary to be used for the purpose designated:

32 For payment to the regional provider network  
33 specified by the department pursuant to section 249J.7  
34 for provision of covered services to members of the  
35 expansion population pursuant to chapter 249J:

36 ..... \$ 2,993,183

37 Notwithstanding any provision of law to the  
38 contrary, the amount appropriated in this subsection  
39 shall be distributed based on claims submitted,  
40 adjudicated, and paid by the Iowa Medicaid enterprise.  
41 Once the entire amount appropriated in this subsection  
42 has been distributed, claims shall continue to  
43 be submitted and adjudicated by the Iowa Medicaid  
44 enterprise; however, no payment shall be made based  
45 upon such claims.

46 6. There is appropriated from the IowaCare account  
47 created in section 249J.24 to the department of  
48 human services for the fiscal year beginning July  
49 1, 2013, and ending June 30, 2014, for the program  
50 period beginning July 1, 2013, and ending December 31,



1 2013, the following amount, or so much thereof as is  
2 necessary, to be used for the purposes designated:

3 For a care coordination pool to pay the expansion  
4 population providers consisting of the university of  
5 Iowa hospitals and clinics, the publicly owned acute  
6 care teaching hospital as specified in section 249J.7,  
7 and current medical assistance program providers that  
8 are not expansion population network providers pursuant  
9 to section 249J.7, for services covered by the full  
10 benefit medical assistance program but not under the  
11 IowaCare program pursuant to section 249J.6, that are  
12 provided to expansion population members:

13 ..... \$ 1,500,000

14 a. Notwithstanding sections 249J.6 and 249J.7,  
15 the amount appropriated in this subsection is  
16 intended to provide payment for medically necessary  
17 services provided to expansion population members for  
18 continuation of care provided by the university of  
19 Iowa hospitals and clinics or the publicly owned acute  
20 care teaching hospital as specified in section 249J.7.  
21 Payment may only be made for services that are not  
22 otherwise covered under section 249J.6, and which are  
23 follow-up services to covered services provided by the  
24 hospitals specified in this paragraph "a".

25 b. The funds appropriated in this subsection are  
26 intended to provide limited payment for continuity  
27 of care services for an expansion population member,  
28 and are intended to cover the costs of services  
29 to expansion population members, regardless of  
30 the member's county of residence or medical home  
31 assignment, if the care is related to specialty or  
32 hospital services provided by the hospitals specified  
33 in paragraph "a".

34 c. The funds appropriated in this subsection are  
35 not intended to provide for expanded coverage under  
36 the IowaCare program, and shall not be used to cover  
37 emergency transportation services.

38 d. The department shall adopt administrative  
39 rules pursuant to chapter 17A to establish a prior  
40 authorization process and to identify covered services  
41 for reimbursement under this subsection.

42 7. There is appropriated from the IowaCare account  
43 created in section 249J.24 to the department of  
44 human services for the fiscal year beginning July  
45 1, 2013, and ending June 30, 2014, for the program  
46 period beginning July 1, 2013, and ending December 31,  
47 2013, the following amount, or so much thereof as is  
48 necessary, for the purposes designated:

49 For transfer to the medical contracts appropriation  
50 in this division of this Act to be used for

1 administrative costs associated with chapter 249J  
2 including eligibility determinations:  
3 ..... \$ 371,552

4 8. For the fiscal year beginning July 1, 2013, and  
5 ending June 30, 2014, for the program period beginning  
6 July 1, 2013, and ending December 31, 2013, the  
7 state board of regents shall transfer \$637,789 to the  
8 IowaCare account created in section 249J.24, to provide  
9 the nonfederal share for distribution to university  
10 of Iowa physicians under the IowaCare program. The  
11 university of Iowa hospitals and clinics shall receive  
12 and retain 100 percent of the total increase in  
13 IowaCare program payments.

14 Sec. 33. APPROPRIATIONS FROM NONPARTICIPATING  
15 PROVIDER REIMBURSEMENT FUND ---- DEPARTMENT OF HUMAN  
16 SERVICES. Notwithstanding any provision to the  
17 contrary, and subject to the availability of funds,  
18 there is appropriated from the nonparticipating  
19 provider reimbursement fund created in section 249J.24A  
20 to the department of human services for the fiscal year  
21 beginning July 1, 2013, and ending June 30, 2014, for  
22 the program period beginning July 1, 2013, and ending  
23 December 31, 2013, the following amount, or so much  
24 thereof as is necessary, for the purposes designated:  
25 To reimburse nonparticipating providers in  
26 accordance with section 249J.24A:  
27 ..... \$ 1,000,000

28 Sec. 34. QUALITY ASSURANCE TRUST FUND ---- DEPARTMENT  
29 OF HUMAN SERVICES. Notwithstanding any provision to  
30 the contrary and subject to the availability of funds,  
31 there is appropriated from the quality assurance trust  
32 fund created in section 249L.4 to the department of  
33 human services for the fiscal year beginning July 1,  
34 2013, and ending June 30, 2014, the following amounts,  
35 or so much thereof as is necessary, for the purposes  
36 designated:

37 To supplement the appropriation made in this Act  
38 from the general fund of the state to the department  
39 of human services for medical assistance for the same  
40 fiscal year:  
41 ..... \$ 28,788,917

42 Sec. 35. HOSPITAL HEALTH CARE ACCESS TRUST FUND  
43 ---- DEPARTMENT OF HUMAN SERVICES. Notwithstanding  
44 any provision to the contrary and subject to the  
45 availability of funds, there is appropriated from  
46 the hospital health care access trust fund created in  
47 section 249M.4 to the department of human services for  
48 the fiscal year beginning July 1, 2013, and ending June  
49 30, 2014, the following amounts, or so much thereof as  
50 is necessary, for the purposes designated:

1 1. To supplement the appropriation made in this Act  
 2 from the general fund of the state to the department  
 3 of human services for medical assistance for the same  
 4 fiscal year:

5 ..... \$ 34,288,000

6 2. For deposit in the nonparticipating provider  
 7 reimbursement fund created in section 249J.24A to be  
 8 used for the purposes of the fund:

9 ..... \$ 412,000

10 Sec. 36. MEDICAL ASSISTANCE PROGRAM ---- NONREVERSION

11 FOR FY 2013-2014. Notwithstanding section 8.33,  
 12 if moneys appropriated for purposes of the medical  
 13 assistance program for the fiscal year beginning  
 14 July 1, 2013, and ending June 30, 2014, from the  
 15 general fund of the state, the quality assurance  
 16 trust fund and the hospital health care access trust  
 17 fund, are in excess of actual expenditures for the  
 18 medical assistance program and remain unencumbered or  
 19 unobligated at the close of the fiscal year, the excess  
 20 moneys shall not revert but shall remain available for  
 21 expenditure for the purposes of the medical assistance  
 22 program until the close of the succeeding fiscal year.

23 DIVISION VI

24 PRIOR YEAR APPROPRIATIONS

25 RESPITE

26 Sec. 37. 2011 Iowa Acts, chapter 129, section 128,  
 27 as amended by 2012 Iowa Acts, chapter 1133, section 22,  
 28 subsection 26, is amended to read as follows:

29 26. Of the funds appropriated in this section,  
 30 at least \$25,000 shall be used to continue and to  
 31 expand the foster care respite pilot program in which  
 32 postsecondary students in social work and other human  
 33 services-related programs receive experience by  
 34 assisting family foster care providers with respite and  
 35 other support. Notwithstanding section 8.33, moneys  
 36 allocated in this subsection that remain unencumbered  
 37 or unobligated at the close of the fiscal year shall  
 38 not revert but shall remain available for expenditure  
 39 for the purposes designated until the close of the  
 40 succeeding fiscal year.

41 MEDICAL ASSISTANCE ---- GENERAL FUND

42 Sec. 38. 2011 Iowa Acts, chapter 129, section 122,  
 43 unnumbered paragraph 2, is amended to read as follows:

44 For medical assistance program reimbursement and  
 45 associated costs as specifically provided in the  
 46 reimbursement methodologies in effect on June 30,  
 47 2012, except as otherwise expressly authorized by  
 48 law, ~~and consistent with options under federal law and~~  
 49 ~~regulations:~~

50 ..... \$914,993,421

1  
 2 Sec. 39. 2011 Iowa Acts, chapter 129, section 122,  
 3 subsection 1, is amended by striking the subsection and  
 4 inserting in lieu thereof the following:  
 5 1. a. Funds appropriated in this section that  
 6 are distributed to a hospital, as defined in section  
 7 135B.1, or to a person, as defined in section 4.1, who  
 8 receives funding from the IowaCare account created in  
 9 section 249J.24, shall not be used for the willful  
 10 termination of human life.

11 b. With the exception of the distributions in  
 12 paragraph "a", funds appropriated under this section  
 13 shall not be distributed to any person, as defined  
 14 in section 4.1, who participates in the willful  
 15 termination of human life.

#### 16 ADOPTION SUBSIDY ---- GENERAL FUND

17 Sec. 40. 2011 Iowa Acts, chapter 129, section 129,  
 18 as amended by 2012 Iowa Acts, chapter 1133, section 23,  
 19 subsection 1, is amended to read as follows:

20 1. There is appropriated from the general fund of  
 21 the state to the department of human services for the  
 22 fiscal year beginning July 1, 2012, and ending June 30,  
 23 2013, the following amount, or so much thereof as is  
 24 necessary, to be used for the purpose designated:

25 For adoption subsidy payments and services:

26 ..... \$ ~~36,788,576~~  
 27 37,743,429

#### 28 NURSING FACILITY REIMBURSEMENT

29 Sec. 41. 2011 Iowa Acts, chapter 129, section 141,  
 30 subsection 1, paragraph a, subparagraph (1), as amended  
 31 by 2012 Iowa Acts, chapter 1133, section 32, is amended  
 32 to read as follows:

33 (1) For the fiscal year beginning July 1, 2012, the  
 34 total state funding amount for the nursing facility  
 35 budget shall not exceed ~~-\$237,226,901~~ \$239,226,901.

36 Sec. 42. 2012 Iowa Acts, chapter 1133, section 55,  
 37 is amended to read as follows:

#### 38 SEC. 55. REPLACEMENT GENERATION TAX REVENUES ---- 39 LEVY RATES FOR FY 2011-2012 AND FY 2012-2013.

40 1. a. For the fiscal year beginning July 1, 2011,  
 41 and ending June 30, 2012, and for the fiscal year  
 42 beginning July 1, 2012, and ending June 30, 2013, the  
 43 replacement generation tax revenues required to be  
 44 deposited in the property tax relief fund pursuant  
 45 to section 437A.8, subsection 4, paragraph "d", and  
 46 section 437A.15, subsection 3, paragraph "f", shall  
 47 instead be credited to the mental health and disability  
 48 services redesign fund created in this division of this  
 49 Act.

50 b. If this section of this division of this Act is

1 enacted after the department of management has reduced  
2 county certified budgets and revised rates of taxation  
3 pursuant to section 426B.2, subsection 3, paragraph  
4 "b", to reflect anticipated replacement generation tax  
5 revenues, and the enactment date is during the period  
6 beginning May 1, 2012, and ending June 30, 2012, the  
7 reductions and revisions shall be rescinded and the  
8 department of management shall expeditiously report  
9 that fact to the county auditors.

10 2. Except as otherwise provided in subsection 1  
11 for department of management reductions of certified  
12 budgets and revisions of tax rates and rescinding  
13 of those reductions and revisions, the budgets and  
14 tax rates certified for a county services fund under  
15 section 331.424A, for the fiscal year beginning July 1,  
16 2012, shall remain in effect, notwithstanding section  
17 426B.3, subsection 1, the property tax relief fund  
18 payment and other services fund financing changes  
19 made in this division of this Act, or other statutory  
20 amendments affecting county services funds for the  
21 fiscal year to the contrary.

22 Sec. 43. EFFECTIVE UPON ENACTMENT. This division  
23 of this Act, being deemed of immediate importance,  
24 takes effect upon enactment.

25 Sec. 44. RETROACTIVE APPLICABILITY. The following  
26 provision of this Act applies retroactively to July 1,  
27 2011:

28 1. The section amending 2012 Iowa Acts, chapter  
29 1133, section 55.

30 DIVISION VII

31 AGING

32 Sec. 45. Section 231.33, subsection 21, Code 2013,  
33 if enacted by 2013 Iowa Acts, [Senate File 184](#), section  
34 22, is amended to read as follows:

35 21. Comply with all applicable requirements of the  
36 Iowa public employees' retirement system established  
37 pursuant to chapter 97B. Notwithstanding any provision  
38 to the contrary, an employee of an area agency on aging  
39 that was enrolled in an alternative qualified plan  
40 prior to July 1, 2012, may continue participation in  
41 that alternative qualified plan in lieu of mandatory  
42 participation in the Iowa public employees' retirement  
43 system.

44 Sec. 46. Section 231.42, subsection 7, paragraph a,  
45 Code 2013, is amended to read as follows:

46 a. An officer, owner, director, or employee of a  
47 long-term care facility, assisted living program, or  
48 elder group home who intentionally prevents, interferes  
49 with, or attempts to impede the work of the state or a  
50 local long-term care resident's advocate is subject to

1 a penalty imposed by the director of not more than one  
2 thousand five hundred dollars for each violation. If  
3 the director imposes a penalty for a violation under  
4 this paragraph, no other state agency shall impose  
5 a penalty for the same interference violation. Any  
6 moneys collected pursuant to this subsection shall be  
7 deposited in the general fund of the state and are  
8 appropriated to the office of long-term care resident's  
9 advocate to be used for administration and the duties  
10 of the office.

11 Sec. 47. EFFECTIVE UPON ENACTMENT. The section  
12 of this division of this Act amending section 231.33,  
13 subsection 21, if enacted by 2013 Iowa Acts, Senate  
14 File 184, being deemed of immediate importance, takes  
15 effect upon enactment.

16 Sec. 48. RETROACTIVE APPLICABILITY. The section  
17 of this division of this Act amending section 231.33,  
18 subsection 21, if enacted by 2013 Iowa Acts, Senate  
19 File 184, applies retroactively to July 1, 2012.

20 DIVISION VIII

21 EMS TASK FORCE

22 Sec. 49. EMERGENCY MEDICAL SERVICES TASK FORCE AND  
23 REPORT.

24 1. The department of public health shall establish  
25 a task force to ensure the future availability of  
26 quality emergency medical services for the state.

27 2. The members of the task force shall be appointed  
28 by the director of the department of public health, or  
29 the director's designee, as follows:

30 a. A manager of a rural volunteer emergency medical  
31 transport service.

32 b. A manager of a rural paid emergency medical  
33 transport service.

34 c. A manager of an urban emergency medical  
35 transport service.

36 d. A manager of a nontransport emergency medical  
37 service.

38 e. A representative of a fire department-based  
39 emergency medical service.

40 f. A representative of a hospital-based emergency  
41 medical service.

42 g. A representative of a private, for-profit  
43 emergency medical transport service.

44 h. A representative of a not-for-profit emergency  
45 medical transport service.

46 i. A representative of the Iowa emergency medical  
47 services association board of directors.

48 j. A representative of an emergency medical  
49 services training agency.

50 k. An urban emergency department physician.



1 1. A rural emergency department physician.  
2 m. A representative of the Iowa emergency nurses  
3 association.  
4 n. A representative of the Iowa alliance in home  
5 care.  
6 o. A representative of an emergency medical service  
7 air ambulance.  
8 p. A representative of the Iowa hospital  
9 association.  
10 q. A representative of the private insurance  
11 industry.  
12 r. A representative of the Iowa Medicaid enterprise  
13 division of the department of human services.  
14 s. A representative of city government.  
15 t. A representative of county government.  
16 u. A representative of the nursing facility  
17 industry.  
18 v. A representative of the Iowa behavioral health  
19 association.  
20 w. A consumer of emergency medical services.  
21 x. An advanced registered nurse practitioner.  
22 3. The task force shall discuss the current  
23 state of emergency medical services in Iowa and make  
24 recommendations for enhancement of Iowa's emergency  
25 medical services system. The recommendations shall  
26 address issues facing volunteer and paid rural  
27 emergency medical services, cost projections including  
28 administration costs for all recommendations, the  
29 Medicaid reimbursement fee schedule for ambulance  
30 services, and the nature and scope of any recommended  
31 changes in regulations governing emergency medical  
32 services.  
33 4. The task force shall, by April 30, 2014, submit  
34 a final report of its findings and recommendations to  
35 the governor, the general assembly, the department  
36 of public health, and the emergency medical services  
37 advisory council. The emergency medical services  
38 advisory council shall review the report and make  
39 recommendations related to implementation of the  
40 report's recommendations to the director of the  
41 department of public health.

42 DIVISION IX

43 HOSPITAL PROVIDER TAX

44 Sec. 50. Section 249M.5, Code 2013, is amended to  
45 read as follows:

46 249M.5 Future repeal.

47 This chapter is repealed June 30, ~~2013~~ 2016.

48 Sec. 51. EFFECTIVE UPON ENACTMENT. The section of  
49 this division of this Act relating to the future repeal  
50 of the hospital health care access assessment program



1 chapter, being deemed of immediate importance, takes  
2 effect upon enactment.

3

DIVISION X

4

ILL AND HANDICAPPED WAIVER NAME CHANGE

5 Sec. 52. Section 423.3, subsection 18, paragraph  
6 f, subparagraph (1), Code 2013, is amended to read as  
7 follows:

8 (1) ~~Ill and handicapped~~ Health and disability  
9 waiver service providers, described in [441 IAC 77.30](#).

10

DIVISION XI

11

AUTISM SUPPORT PROGRAM

12 Sec. 53. NEW SECTION. 225D.1 Definitions.

13 As used in this chapter unless the context otherwise  
14 requires:

15 1. "Applied behavioral analysis" means the design,  
16 implementation, and evaluation of environmental  
17 modifications, using behavioral stimuli and  
18 consequences, to produce socially significant  
19 improvement in human behavior or to prevent loss of  
20 attained skill or function, including the use of direct  
21 observation, measurement, and functional analysis of  
22 the relations between environment and behavior.

23 2. "Autism" means autism spectrum disorders as  
24 defined in section 514C.28.

25 3. "Autism service provider" means a person  
26 providing applied behavioral analysis, who meets all  
27 of the following criteria:

28 a. Is certified as a behavior analyst by the  
29 behavior analyst certification board or is a health  
30 professional licensed under chapter 147.

31 b. Is approved as a member of the provider network  
32 by the department.

33 4. "Autism support fund" or "fund" means the autism  
34 support fund created in section 225D.2.

35 5. "Clinically relevant" means medically necessary  
36 and resulting in the development, maintenance, or  
37 restoration, to the maximum extent practicable, of the  
38 functioning of an individual.

39 6. "Department" means the department of human  
40 services.

41 7. "Diagnostic assessment of autism" means medically  
42 necessary assessment, evaluations, or tests performed  
43 by a licensed child psychiatrist, developmental  
44 pediatrician, or clinical psychologist.

45 8. "Eligible individual" means a child less than  
46 nine years of age who has been diagnosed with autism  
47 based on a diagnostic assessment of autism, is not  
48 otherwise eligible for coverage for applied behavioral  
49 analysis treatment under the medical assistance  
50 program, section 514C.28, or private insurance

1 coverage, and whose household income does not exceed  
2 four hundred percent of the federal poverty level.

3 9. "Federal poverty level" means the most recently  
4 revised poverty income guidelines published by the  
5 United States department of health and human services.

6 10. "Household income" means household income as  
7 determined using the modified adjusted gross income  
8 methodology pursuant to section 2002 of the federal  
9 Patient Protection and Affordable Care Act, Pub. L. No.  
10 111-148.

11 11. "Medical assistance" or "Medicaid" means  
12 assistance provided under the medical assistance  
13 program pursuant to chapter 249A.

14 12. "Regional autism assistance program" means the  
15 regional autism assistance program created in section  
16 256.35.

17 13. "Treatment plan" means a plan for the treatment  
18 of autism developed by a licensed physician or licensed  
19 psychologist pursuant to a comprehensive evaluation or  
20 reevaluation performed in consultation with the patient  
21 and the patient's representative.

22 Sec. 54. NEW SECTION. 225D.2 Autism support  
23 program ---- fund.

24 1. The department shall implement an autism support  
25 program beginning January 1, 2014, to provide payment  
26 for the provision of applied behavioral analysis  
27 treatment for eligible individuals. The department  
28 shall adopt rules, including standards and guidelines  
29 pursuant to chapter 17A to implement and administer  
30 the program. In adopting the rules, standards, and  
31 guidelines for the program, the department shall  
32 consult with and incorporate the recommendations  
33 of an expert panel convened by the regional autism  
34 assistance program to provide expert opinion on  
35 clinically relevant practices and guidance on program  
36 implementation and administration. The expert panel  
37 shall consist of families of individuals with autism;  
38 educational, medical, and human services specialists,  
39 professionals, and providers; and others with interest  
40 in or expertise related to autism. The program shall  
41 be implemented and administered in a manner so that  
42 payment for services is available throughout the state,  
43 including in rural and under-resourced areas.

44 2. At a minimum, the rules, standards, and  
45 guidelines for the program shall address all of the  
46 following:

47 a. A maximum annual benefit amount for an eligible  
48 individual of thirty-six thousand dollars.

49 b. A maximum of twenty-four months of applied  
50 behavioral analysis treatment.

1 c. Notwithstanding the age limitation for an  
2 eligible individual, a provision that if an eligible  
3 individual reaches nine years of age prior to  
4 completion of the maximum applied behavioral analysis  
5 treatment period specified in paragraph "b", the  
6 individual may complete such treatment in accordance  
7 with the individual's treatment plan, not to exceed the  
8 maximum treatment period.

9 d. A graduated schedule for cost-sharing by an  
10 eligible individual based on a percentage of the total  
11 benefit amount expended for the eligible individual,  
12 annually. Cost-sharing shall be applicable to eligible  
13 individuals with household incomes at or above two  
14 hundred percent of the federal poverty level in  
15 incrementally increased amounts up to a maximum of ten  
16 percent. The rules shall provide a financial hardship  
17 exemption from payment of the cost-sharing based on  
18 criteria established by rule of the department.

19 e. Application, approval, compliance, and appeal  
20 processes for eligible individuals as necessary to  
21 operate and manage the program.

22 f. Enrollment, renewal, and reimbursement of claims  
23 provisions for autism service providers participating  
24 in the program.

25 g. A requirement of family engagement and  
26 participation as part of the eligible individual's  
27 treatment plan.

28 h. A requirement that the autism service provider  
29 coordinate interventions with the school in which the  
30 eligible individual is enrolled.

31 i. A requirement that the administrator of the  
32 program utilize the regional autism assistance  
33 program to coordinate interventions between eligible  
34 individuals and their families receiving support  
35 through the autism support program with appropriate  
36 medical, educational, and treatment providers,  
37 including integrated health homes. The regional  
38 autism assistance program shall provide for family  
39 navigation and coordination and integration of services  
40 through the statewide system of regional child health  
41 specialty clinics, utilizing the community child  
42 health team model. As necessitated by the availability  
43 of resources in the community where services are  
44 delivered, telehealth may be used in delivering and  
45 coordinating interventions with appropriate providers.  
46 To the extent available and accessible to an eligible  
47 individual, the eligible individual shall be enrolled  
48 in an integrated health home that is an approved  
49 provider enrolled in the medical assistance program.  
50 Health home services that are covered services under

1 the medical assistance program shall be reimbursed  
2 under the autism support program at rates consistent  
3 with those established under the medical assistance  
4 program.

5 j. Requirements related to review of treatment  
6 plans, which may require review once every six months,  
7 subject to utilization review requirements established  
8 by rule. A more or less frequent review may be agreed  
9 upon by the eligible individual and the licensed  
10 physician or licensed psychologist developing the  
11 treatment plan.

12 k. Recognition of the results of a diagnostic  
13 assessment of autism as valid for a period of not less  
14 than twelve months, unless a licensed physician or  
15 licensed psychologist determines that a more frequent  
16 assessment is necessary.

17 3. Moneys in the autism support fund created under  
18 subsection 5 shall be expended only for eligible  
19 individuals who are not eligible for coverage for  
20 applied behavioral analysis treatment under the  
21 medical assistance program, section 514C.28, or  
22 private insurance. Payment for applied behavioral  
23 analysis treatment through the fund shall be limited  
24 to only applied behavioral analysis treatment that is  
25 clinically relevant and only to the extent approved  
26 under the guidelines established by rule of the  
27 department.

28 4. This section shall not be construed as granting  
29 an entitlement for any program, service, or other  
30 support for eligible individuals. Any state obligation  
31 to provide a program, service, or other support  
32 pursuant to this section is limited to the extent  
33 of the funds appropriated for the purposes of the  
34 program. The department may establish a waiting list  
35 or terminate participation of eligible individuals if  
36 the department determines that moneys in the autism  
37 support fund are insufficient to cover future claims  
38 for reimbursement beyond ninety days.

39 5. a. An autism support fund is created in the  
40 state treasury under the authority of the department.  
41 Moneys appropriated to and all other moneys specified  
42 for deposit in the fund shall be deposited in the fund  
43 and used for the purposes of the program.

44 b. The fund shall be separate from the general  
45 fund of the state and shall not be considered part  
46 of the general fund of the state. The moneys in the  
47 fund shall not be considered revenue of the state, but  
48 rather shall be funds of the autism support program.  
49 The moneys deposited in the fund are not subject  
50 to section 8.33 and shall not be transferred, used,

1 obligated, appropriated, or otherwise encumbered,  
2 except to provide for the purposes of this section.  
3 Notwithstanding section 12C.7, subsection 2, interest  
4 or earnings on moneys deposited in the fund shall be  
5 credited to the fund.

6 c. The department shall adopt rules pursuant to  
7 chapter 17A to administer the fund and reimbursements  
8 made from the fund.

9 d. Moneys in the fund are appropriated to the  
10 department and shall be used by the department for the  
11 purposes of the autism support program. The department  
12 shall be the administrator of the fund for auditing  
13 purposes.

14 e. The department shall submit an annual report to  
15 the governor and the general assembly no later than  
16 January 1 of each year that includes but is not limited  
17 to all of the following:

18 (1) The total number of applications received under  
19 the program for the immediately preceding fiscal year.

20 (2) The number of applications approved and the  
21 total amount of funding expended for reimbursements  
22 under the program in the immediately preceding fiscal  
23 year.

24 (3) The cost of administering the program in the  
25 immediately preceding fiscal year.

26 (4) The number of eligible individuals on a waiting  
27 list, if any, and the amount of funding necessary to  
28 reduce the existing waiting list.

29 (5) Recommendations for any changes to the program.

30 Sec. 55. IMPLEMENTATION.

31 1. The department of human services shall implement  
32 the autism support program beginning January 1, 2014,  
33 subject to available funding.

34 2. Notwithstanding section 8.47 or any other  
35 provision of law to the contrary, the department may  
36 utilize a sole-source contract and utilize the managed  
37 care entity under contract with the department to  
38 manage behavioral health services under the medical  
39 assistance program to administer the program. Total  
40 administrative costs of the program shall not exceed  
41 ten percent of the funds expended through the program,  
42 annually.

43 Sec. 56. EFFECTIVE UPON ENACTMENT. This division  
44 of this Act, being deemed of immediate importance,  
45 takes effect upon enactment.

46 DIVISION XII

47 DEPARTMENT OF HUMAN SERVICES ---- CHILD, ADULT, AND  
48 FAMILY SERVICES

49 Sec. 57. Section 225C.38, subsection 1, paragraph  
50 c, Code 2013, is amended to read as follows:

1 c. Except as provided in section 225C.41, a family  
2 support subsidy for a fiscal year shall be in an amount  
3 determined by the department ~~in consultation with the~~  
4 ~~comprehensive family support council created in section~~  
5 ~~225C.48~~. The parent or legal guardian receiving a  
6 family support subsidy may elect to receive a payment  
7 amount which is less than the amount determined in  
8 accordance with this paragraph.

9 Sec. 58. Section 225C.42, subsection 1, Code 2013,  
10 is amended to read as follows:

11 1. The department shall conduct an annual  
12 evaluation of the family support subsidy program ~~in~~  
13 ~~conjunction with the comprehensive family support~~  
14 ~~council~~ and shall submit the evaluation report with  
15 recommendations to the governor and general assembly.  
16 The report shall be submitted on or before October  
17 30 and provide an evaluation of the latest completed  
18 fiscal year.

19 Sec. 59. Section 225C.47, subsection 5, unnumbered  
20 paragraph 1, Code 2013, is amended to read as follows:

21 The department shall design the program ~~in~~  
22 ~~consultation with the comprehensive family support~~  
23 ~~council created in section 225C.48~~. The department  
24 shall adopt rules to implement the program which  
25 provide for all of the following:

26 Sec. 60. Section 225C.49, subsection 4, Code 2013,  
27 is amended to read as follows:

28 4. The department shall designate one individual  
29 whose sole duties are to provide central coordination  
30 of the programs under sections 225C.36 and 225C.47 and  
31 ~~to work with the comprehensive family support council~~  
32 to oversee development and implementation of the  
33 programs.

34 Sec. 61. Section 239B.5, Code 2013, is amended by  
35 adding the following new subsection:

36 NEW SUBSECTION. 4. a. The department shall  
37 implement policies and procedures as necessary to  
38 comply with provisions of the federal Middle Class  
39 Tax Relief and Job Creation Act of 2012, Pub. L. No.  
40 112-96, to prevent assistance provided under this  
41 chapter from being used in any electronic benefit  
42 transfer transaction in any liquor store; any casino,  
43 gambling casino, or gaming establishment; or any  
44 retail establishment which provides adult-oriented  
45 entertainment in which performers disrobe or perform in  
46 an unclothed state for entertainment. For purposes of  
47 this paragraph, the definitions found in the federal  
48 Middle Class Tax Relief and Job Creation Act and  
49 related rules and statutes apply.

50 b. Unless otherwise precluded by federal law



1 or regulation, policies and procedures implemented  
2 under this subsection shall at a minimum impose the  
3 prohibition described in paragraph "a" as a condition  
4 for continued eligibility for assistance under this  
5 chapter.

6 c. The department may implement additional measures  
7 as may be necessary to comply with federal regulations  
8 in implementing paragraph "a".

9 d. The department shall adopt rules as necessary to  
10 implement this subsection.

11 Sec. 62. Section 239B.14, subsection 1, Code 2013,  
12 is amended to read as follows:

13 1. a. An individual who obtains, or attempts to  
14 obtain, or aids or abets an individual to obtain, by  
15 means of a willfully false statement or representation,  
16 by knowingly failing to disclose a material fact, or by  
17 impersonation, or any fraudulent device, any assistance  
18 or other benefits under this chapter to which the  
19 individual is not entitled, commits a fraudulent  
20 practice.

21 b. An individual who accesses benefits provided  
22 under this chapter in violation of any prohibition  
23 imposed by the department pursuant to section 239B.5,  
24 subsection 4, commits a fraudulent practice.

25 Sec. 63. Section 249A.3, subsection 1, Code 2013,  
26 is amended by adding the following new paragraph:

27 NEW PARAGRAPH. v. Beginning January 1, 2014, is an  
28 individual who meets all of the following requirements:

29 (1) Is under twenty-six years of age.  
30 (2) Was in foster care under the responsibility  
31 of the state on the date of attaining eighteen years  
32 of age or such higher age to which foster care is  
33 provided.

34 (3) Was enrolled in the medical assistance program  
35 under this chapter while in such foster care.

36 Sec. 64. Section 249A.3, subsection 2, paragraph  
37 a, subparagraph (9), Code 2013, is amended by striking  
38 the subparagraph.

39 Sec. 65. Section 249J.26, subsection 2, Code 2013,  
40 is amended to read as follows:

41 2. This chapter is repealed ~~October~~ December 31,  
42 2013.

43 Sec. 66. Section 514I.4, subsection 5, paragraph a,  
44 Code 2013, is amended by striking the paragraph.

45 Sec. 67. Section 514I.5, subsection 7, paragraph f,  
46 Code 2013, is amended to read as follows:

47 f. Review, in consultation with the department,  
48 and take necessary steps to improve interaction  
49 between the program and other public and private  
50 programs which provide services to the population of



1 eligible children. ~~The board, in consultation with the~~  
2 ~~department, shall also develop and implement a plan to~~  
3 ~~improve the medical assistance program in coordination~~  
4 ~~with the hawk-i program, including but not limited~~  
5 ~~to a provision to coordinate eligibility between the~~  
6 ~~medical assistance program and the hawk-i program, and~~  
7 ~~to provide for common processes and procedures under~~  
8 ~~both programs to reduce duplication and bureaucracy.~~

9 Sec. 68. Section 514I.5, subsection 8, paragraphs  
10 b and f, Code 2013, are amended by striking the  
11 paragraphs.

12 Sec. 69. Section 514I.7, subsection 2, paragraphs a  
13 and g, Code 2013, are amended to read as follows:

14 a. Determine ~~individual~~ eligibility for program  
15 ~~enrollment based upon review of completed applications~~  
16 ~~and supporting documentation as prescribed by federal~~  
17 law and regulation, using policies and procedures  
18 adopted by rule of the department pursuant to chapter  
19 17A. The administrative contractor shall not enroll a  
20 child who has group health coverage, unless expressly  
21 authorized by such rules.

22 g. ~~Create and Utilize the department's eligibility~~  
23 system to maintain eligibility files that are  
24 ~~compatible with the data system of the department~~  
25 with pertinent eligibility determination and ongoing  
26 enrollment information including, but not limited  
27 to, data regarding beneficiaries, enrollment dates,  
28 disenrollments, and annual financial redeterminations.

29 Sec. 70. Section 514I.7, subsection 2, paragraphs  
30 c, d, e, f, and k, Code 2013, are amended by striking  
31 the paragraphs.

32 Sec. 71. Section 514I.8, subsection 1, Code 2013,  
33 is amended to read as follows:

34 1. a. Effective July 1, 1998, and notwithstanding  
35 any medical assistance program eligibility criteria  
36 to the contrary, medical assistance shall be provided  
37 to, or on behalf of, an eligible child under the age  
38 of nineteen whose family income does not exceed one  
39 hundred thirty-three percent of the federal poverty  
40 level, as defined by the most recently revised poverty  
41 income guidelines published by the United States  
42 department of health and human services.

43 b. ~~Additionally, effective~~ Effective July 1,  
44 2000, and notwithstanding any medical assistance  
45 program eligibility criteria to the contrary, medical  
46 assistance shall be provided to, or on behalf of, an  
47 eligible infant whose family income does not exceed  
48 two hundred percent of the federal poverty level, as  
49 defined by the most recently revised poverty income  
50 guidelines published by the United States department of

1 health and human services.

2     c. Effective July 1, 2009, and notwithstanding any  
3 medical assistance program eligibility criteria to the  
4 contrary, medical assistance shall be provided to, or  
5 on behalf of, a pregnant woman or an eligible child who  
6 is an infant and whose family income is at or below  
7 three hundred percent of the federal poverty level, as  
8 defined by the most recently revised poverty income  
9 guidelines published by the United States department of  
10 health and human services.

11     Sec. 72. Section 514I.8, subsection 2, paragraph c,  
12 Code 2013, is amended to read as follows:

13     c. Is a member of a family whose income does not  
14 exceed three hundred percent of the federal poverty  
15 level, as defined in 42 U.S.C. { 9902(2), including any  
16 revision required by such section, and in accordance  
17 with the federal Children's Health Insurance Program  
18 Reauthorization Act of 2009, Pub. L. No. 111-3. The  
19 modified adjusted gross income methodology prescribed  
20 in section 2101 of the federal Patient Protection and  
21 Affordable Care Act, Pub. L. No. 111-148, to determine  
22 family income under this paragraph.

23     Sec. 73. Section 514I.8, subsections 3 and 4, Code  
24 2013, are amended to read as follows:

25     3. In accordance with the rules adopted by the  
26 board, a child may be determined to be presumptively  
27 eligible for the program pending a final eligibility  
28 determination. Following final determination of  
29 eligibility ~~by the administrative contractor~~, a child  
30 shall be eligible for a twelve-month period. At the  
31 end of the twelve-month period, ~~the administrative~~  
32 ~~contractor shall conduct~~ a review of the circumstances  
33 of the ~~eligible~~ child's family shall be conducted  
34 to establish eligibility and cost sharing for the  
35 subsequent twelve-month period.

36     4. Once an eligible child is enrolled in a plan,  
37 ~~the eligible child shall remain enrolled in the plan~~  
38 ~~unless a determination is made, according to criteria~~  
39 ~~established by the board, that the eligible child~~  
40 ~~should be allowed to enroll in another qualified child~~  
41 ~~health plan or should be disenrolled. An enrollee may~~  
42 request to change plans within ninety days of initial  
43 enrollment for any reason and at any time for cause,  
44 as defined in 42 C.F.R. { 438.56(d)(2). Otherwise, an  
45 enrollee may change plan enrollment once a year on the  
46 enrollee's anniversary date.

47     Sec. 74. Section 514I.8, subsections 5 and 6, Code  
48 2013, are amended by striking the subsections.

49     Sec. 75. Section 514I.9, Code 2013, is amended to  
50 read as follows:

1 514I.9 Program benefits.

2 1. ~~Until June 30, 1999, the benefits provided under~~  
3 ~~the program shall be those benefits established by rule~~  
4 ~~of the board and in compliance with Tit. XXI of the~~  
5 ~~federal Social Security Act.~~

6 2. ~~On or before June 30, 1999, the hawk-i board~~  
7 ~~shall adopt rules to amend the benefits package based~~  
8 ~~upon review of the results of the initial benefits~~  
9 ~~package used.~~

10 3. ~~Subsequent to June 30, 1999, the~~ The hawk-i  
11 board shall review the benefits package annually and  
12 shall determine additions to or deletions from the  
13 benefits package offered. The hawk-i board shall  
14 submit the recommendations to the general assembly for  
15 any amendment to the benefits package.

16 4. 2. Benefits, in addition to those required  
17 by rule, may be provided to eligible children by a  
18 participating insurer if the benefits are provided at  
19 no additional cost to the state.

20 Sec. 76. REPEAL. Section 225C.48, Code 2013, is  
21 repealed.

22 Sec. 77. EFFECTIVE DATE. The following provision  
23 or provisions of this Act take effect December 31,  
24 2013:

25 1. The section of this Act amending section 249A.3,  
26 subsection 2, paragraph "a", subparagraph (9).

27 DIVISION XIII

28 MEDICAID COST CONTAINMENT

29 Sec. 78. 2011 Iowa Acts, chapter 129, section  
30 122, subsection 26, as enacted by 2012 Iowa Acts,  
31 chapter 1133, section 12, is amended by striking the  
32 subsection.

33 DIVISION XIV

34 CIGARETTE AND TOBACCO TAX PROCEEDS ---- HEALTH CARE TRUST  
35 FUND

36 Sec. 79. Section 453A.35, Code 2013, is amended to  
37 read as follows:

38 453A.35 ~~Tax and fees~~ Proceeds paid to general fund  
39 ---- standing appropriation to health care trust fund.

40 1. a. With the exception of revenues credited to  
41 the health care trust fund pursuant to paragraph "b",  
42 the proceeds derived from the sale of stamps and the  
43 payment of ~~taxes, fees, and penalties~~ provided for  
44 under this chapter, and the permit fees received from  
45 all permits issued by the department, shall be credited  
46 to the general fund of the state.

47 b. ~~Of the~~ The revenues generated from the tax on  
48 cigarettes pursuant to section 453A.6, subsection 1,  
49 and from the tax on tobacco products as specified in  
50 section 453A.43, subsections 1, 2, 3, and 4, ~~the first~~

~~1 one hundred six million sixteen thousand four hundred~~  
~~2 dollars~~ shall be credited to the health care trust fund  
3 created in section 453A.35A.

4 2. All permit fees provided for in this chapter and  
5 collected by cities in the issuance of permits granted  
6 by the cities shall be paid to the treasurer of the  
7 city where the permit is effective, or to another city  
8 officer as designated by the council, and credited to  
9 the general fund of the city. Permit fees so collected  
10 by counties shall be paid to the county treasurer.

11 DIVISION XV

12 IOWACARE ---- ACCOUNT FOR HEALTH CARE TRANSFORMATION

13 Sec. 80. Section 249J.8, subsection 1, paragraph k,  
14 Code 2013, is amended to read as follows:

15 k. Premiums collected under this subsection shall  
16 be deposited in the ~~premiums subaccount of the IowaCare~~  
17 ~~account for health care transformation~~ created pursuant  
18 to section ~~249J.23~~ 249J.24.

19 Sec. 81. Section 249J.23, subsection 1, Code 2013,  
20 is amended to read as follows:

21 1. An account for health care transformation is  
22 created in the state treasury under the authority of  
23 the department. Moneys received from sources including  
24 but not limited to appropriations from the general  
25 fund of the state, grants, and contributions shall be  
26 deposited in the account. ~~The account shall include~~  
27 ~~a separate premiums subaccount. Revenue generated~~  
28 ~~through payment of premiums by expansion population~~  
29 ~~members as required pursuant to section 249J.8 shall be~~  
30 ~~deposited in the separate premiums subaccount within~~  
31 ~~the account.~~

32 Sec. 82. Section 249J.24, subsection 1, Code 2013,  
33 is amended to read as follows:

34 1. An IowaCare account is created in the state  
35 treasury under the authority of the department of human  
36 services. Moneys appropriated from the general fund of  
37 the state to the account, moneys received as federal  
38 financial participation funds under the expansion  
39 population provisions of this chapter and credited to  
40 the account, moneys received for disproportionate share  
41 hospitals and credited to the account, moneys received  
42 for graduate medical education and credited to the  
43 account, proceeds distributed from the county treasurer  
44 as specified in subsection 4, revenue generated through  
45 payment of premiums pursuant to section 249J.8, and  
46 moneys from any other source credited to the account  
47 shall be deposited in the account. Moneys deposited  
48 in or credited to the account shall be used only as  
49 provided in appropriations or distributions from the  
50 account for the purposes specified in the appropriation

1 or distribution. Moneys in the account shall be  
2 appropriated to the university of Iowa hospitals and  
3 clinics and to a publicly owned acute care teaching  
4 hospital located in a county with a population over  
5 three hundred fifty thousand for the purposes provided  
6 in the federal law making the funds available or as  
7 specified in the state appropriation and shall be  
8 distributed as determined by the department.

9 DIVISION XVI

10 DEPARTMENT ON AGING ---- FY 2014-2015

11 Sec. 83. DEPARTMENT ON AGING. There is  
12 appropriated from the general fund of the state to  
13 the department on aging for the fiscal year beginning  
14 July 1, 2014, and ending June 30, 2015, the following  
15 amount, or so much thereof as is necessary, to be used  
16 for the purposes designated:

17 For aging programs for the department on aging and  
18 area agencies on aging to provide citizens of Iowa who  
19 are 60 years of age and older with case management for  
20 frail elders, Iowa's aging and disabilities resource  
21 center, and other services which may include but are  
22 not limited to adult day services, respite care, chore  
23 services, information and assistance, and material aid,  
24 for information and options counseling for persons with  
25 disabilities who are 18 years of age or older, and  
26 for salaries, support, administration, maintenance,  
27 and miscellaneous purposes, and for not more than the  
28 following full-time equivalent positions:

29 .....	\$	5,221,043
30 .....	FTEs	35.00

31 1. Funds appropriated in this section may be used  
32 to supplement federal funds under federal regulations.  
33 To receive funds appropriated in this section, a local  
34 area agency on aging shall match the funds with moneys  
35 from other sources according to rules adopted by the  
36 department. Funds appropriated in this section may be  
37 used for elderly services not specifically enumerated  
38 in this section only if approved by an area agency on  
39 aging for provision of the service within the area.

40 2. Of the funds appropriated in this section,  
41 \$139,973 is transferred to the economic development  
42 authority for the Iowa commission on volunteer services  
43 to be used for the retired and senior volunteer  
44 program.

45 3. a. The department on aging shall establish and  
46 enforce procedures relating to expenditure of state and  
47 federal funds by area agencies on aging that require  
48 compliance with both state and federal laws, rules, and  
49 regulations, including but not limited to all of the  
50 following:

1 (1) Requiring that expenditures are incurred only  
2 for goods or services received or performed prior to  
3 the end of the fiscal period designated for use of the  
4 funds.

5 (2) Prohibiting prepayment for goods or services  
6 not received or performed prior to the end of the  
7 fiscal period designated for use of the funds.

8 (3) Prohibiting the prepayment for goods or  
9 services not defined specifically by good or service,  
10 time period, or recipient.

11 (4) Prohibiting the establishment of accounts from  
12 which future goods or services which are not defined  
13 specifically by good or service, time period, or  
14 recipient, may be purchased.

15 b. The procedures shall provide that if any funds  
16 are expended in a manner that is not in compliance with  
17 the procedures and applicable federal and state laws,  
18 rules, and regulations, and are subsequently subject  
19 to repayment, the area agency on aging expending such  
20 funds in contravention of such procedures, laws, rules  
21 and regulations, not the state, shall be liable for  
22 such repayment.

23 4. Of the funds appropriated in this section,  
24 \$50,000 shall be used to provide for a local long-term  
25 care resident's advocate to administer the certified  
26 volunteer long-term care resident's advocate program  
27 pursuant to section 231.45.

28 DIVISION XVII

29 DEPARTMENT OF PUBLIC HEALTH ---- FY 2014-2015

30 Sec. 84. DEPARTMENT OF PUBLIC HEALTH. There is  
31 appropriated from the general fund of the state to  
32 the department of public health for the fiscal year  
33 beginning July 1, 2014, and ending June 30, 2015, the  
34 following amounts, or so much thereof as is necessary,  
35 to be used for the purposes designated:

36 1. ADDICTIVE DISORDERS

37 For reducing the prevalence of use of tobacco,  
38 alcohol, and other drugs, and treating individuals  
39 affected by addictive behaviors, including gambling,  
40 and for not more than the following full-time  
41 equivalent positions:

42 ..... \$ 11,931,845  
43 ..... FTEs 13.00

44 a. (1) Of the funds appropriated in this  
45 subsection, \$1,824,181 shall be used for the tobacco  
46 use prevention and control initiative, including  
47 efforts at the state and local levels, as provided  
48 in chapter 142A. The commission on tobacco use  
49 prevention and control established pursuant to section  
50 142A.3 shall advise the director of public health in



1 prioritizing funding needs and the allocation of moneys  
2 appropriated for the programs and activities of the  
3 initiative under this subparagraph (1) and shall make  
4 recommendations to the director in the development of  
5 budget requests relating to the initiative.

6 (2) (a) Of the funds allocated in this paragraph  
7 "a", \$226,534 is transferred to the alcoholic beverages  
8 division of the department of commerce for enforcement  
9 of tobacco laws, regulations, and ordinances and to  
10 engage in tobacco control activities approved by the  
11 division of tobacco use prevention and control as  
12 specified in the memorandum of understanding entered  
13 into between the divisions.

14 (b) For the fiscal year beginning July 1, 2014, and  
15 ending June 30, 2015, the terms of the memorandum of  
16 understanding, entered into between the division of  
17 tobacco use prevention and control of the department  
18 of public health and the alcoholic beverages division  
19 of the department of commerce, governing compliance  
20 checks conducted to ensure licensed retail tobacco  
21 outlet conformity with tobacco laws, regulations, and  
22 ordinances relating to persons under eighteen years of  
23 age, shall restrict the number of such checks to one  
24 check per retail outlet, and one additional check for  
25 any retail outlet found to be in violation during the  
26 first check.

27 b. Of the funds appropriated in this subsection,  
28 \$10,107,665 shall be used for problem gambling and  
29 substance-related disorder prevention, treatment, and  
30 recovery services, including a 24-hour helpline, public  
31 information resources, professional training, and  
32 program evaluation.

33 (1) Of the funds allocated in this paragraph "b",  
34 \$8,551,858 shall be used for substance-related disorder  
35 prevention and treatment.

36 (a) Of the funds allocated in this subparagraph  
37 (1), \$449,650 shall be used for the public purpose of  
38 a grant program to provide substance-related disorder  
39 prevention programming for children.

40 (i) Of the funds allocated in this subparagraph  
41 division (a), \$213,770 shall be used for grant funding  
42 for organizations that provide programming for  
43 children by utilizing mentors. Programs approved for  
44 such grants shall be certified or will be certified  
45 within six months of receiving the grant award by the  
46 Iowa commission on volunteer services as utilizing  
47 the standards for effective practice for mentoring  
48 programs.

49 (ii) Of the funds allocated in this subparagraph  
50 division (a), \$213,420 shall be used for grant



1 funding for organizations that provide programming  
2 that includes youth development and leadership. The  
3 programs shall also be recognized as being programs  
4 that are scientifically based with evidence of their  
5 effectiveness in reducing substance-related disorders  
6 in children.

7 (iii) The department of public health shall utilize  
8 a request for proposals process to implement the grant  
9 program.

10 (iv) All grant recipients shall participate in a  
11 program evaluation as a requirement for receiving grant  
12 funds.

13 (v) Of the funds allocated in this subparagraph  
14 division (a), up to \$22,461 may be used to administer  
15 substance-related disorder prevention grants and for  
16 program evaluations.

17 (b) Of the funds allocated in this subparagraph  
18 (1), \$136,302 shall be used for culturally competent  
19 substance-related disorder treatment pilot projects.

20 (i) The department shall utilize the amount  
21 allocated in this subparagraph division (b) for at  
22 least three pilot projects to provide culturally  
23 competent substance-related disorder treatment in  
24 various areas of the state. Each pilot project shall  
25 target a particular ethnic minority population. The  
26 populations targeted shall include but are not limited  
27 to African American, Asian, and Latino.

28 (ii) The pilot project requirements shall provide  
29 for documentation or other means to ensure access  
30 to the cultural competence approach used by a pilot  
31 project so that such approach can be replicated and  
32 improved upon in successor programs.

33 (2) Of the funds allocated in this paragraph "b",  
34 up to \$1,555,807 may be used for problem gambling  
35 prevention, treatment, and recovery services.

36 (a) Of the funds allocated in this subparagraph  
37 (2), \$1,286,881 shall be used for problem gambling  
38 prevention and treatment.

39 (b) Of the funds allocated in this subparagraph  
40 (2), up to \$218,926 may be used for a 24-hour helpline,  
41 public information resources, professional training,  
42 and program evaluation.

43 (c) Of the funds allocated in this subparagraph  
44 (2), up to \$50,000 may be used for the licensing of  
45 problem gambling treatment programs.

46 (3) It is the intent of the general assembly that  
47 from the moneys allocated in this paragraph "b",  
48 persons with a dual diagnosis of substance-related  
49 disorder and gambling addiction shall be given priority  
50 in treatment services.

1 c. Notwithstanding any provision of law to the  
2 contrary, to standardize the availability, delivery,  
3 cost of delivery, and accountability of problem  
4 gambling and substance-related disorder treatment  
5 services statewide, the department shall continue  
6 implementation of a process to create a system for  
7 delivery of treatment services in accordance with the  
8 requirements specified in 2008 Iowa Acts, chapter  
9 1187, section 3, subsection 4. To ensure the system  
10 provides a continuum of treatment services that best  
11 meets the needs of Iowans, the problem gambling and  
12 substance-related disorder treatment services in any  
13 area may be provided either by a single agency or by  
14 separate agencies submitting a joint proposal.

15 (1) The system for delivery of substance-related  
16 disorder and problem gambling treatment shall include  
17 problem gambling prevention.

18 (2) The system for delivery of substance-related  
19 disorder and problem gambling treatment shall include  
20 substance-related disorder prevention by July 1, 2015.

21 (3) Of the funds allocated in paragraph "b", the  
22 department may use up to \$50,000 for administrative  
23 costs to continue developing and implementing the  
24 process in accordance with this paragraph "c".

25 d. The requirement of section 123.53, subsection  
26 5, is met by the appropriations and allocations made  
27 in this Act for purposes of substance-related disorder  
28 treatment and addictive disorders for the fiscal year  
29 beginning July 1, 2014.

30 e. The department of public health shall work with  
31 all other departments that fund substance-related  
32 disorder prevention and treatment services and all  
33 such departments shall, to the extent necessary,  
34 collectively meet the state maintenance of effort  
35 requirements for expenditures for substance-related  
36 disorder services as required under the federal  
37 substance-related disorder prevention and treatment  
38 block grant.

39 2. HEALTHY CHILDREN AND FAMILIES

40 For promoting the optimum health status for  
41 children, adolescents from birth through 21 years of  
42 age, and families, and for not more than the following  
43 full-time equivalent positions:

44 .....	\$	1,326,780
45 .....	FTEs	10.00

46 a. Of the funds appropriated in this subsection,  
47 not more than \$367,421 shall be used for the healthy  
48 opportunities to experience success-healthy families  
49 Iowa (HOPES-HFI) program established pursuant to  
50 section 135.106. The funding shall be distributed to

1 renew the grants that were provided to the grantees  
2 that operated the program during the fiscal year ending  
3 June 30, 2014.

4 b. In order to implement the legislative intent  
5 stated in sections 135.106 and 256I.9, that priority  
6 for home visitation program funding be given to  
7 programs using evidence-based or promising models  
8 for home visitation, it is the intent of the general  
9 assembly to phase-in the funding priority in accordance  
10 with 2012 Iowa Acts, chapter 129, section 2, subsection  
11 2, paragraph 0b.

12 c. Of the funds appropriated in this subsection,  
13 \$163,944 shall be used to continue to address the  
14 healthy mental development of children from birth  
15 through five years of age through local evidence-based  
16 strategies that engage both the public and private  
17 sectors in promoting healthy development, prevention,  
18 and treatment for children.

19 d. Of the funds appropriated in this subsection,  
20 \$15,799 shall be distributed to a statewide dental  
21 carrier to provide funds to continue the donated dental  
22 services program patterned after the projects developed  
23 by the lifeline network to provide dental services to  
24 indigent elderly and disabled individuals.

25 e. Of the funds appropriated in this subsection,  
26 \$55,998 shall be used for childhood obesity prevention.

27 f. Of the funds appropriated in this subsection,  
28 \$81,384 shall be used to provide audiological services  
29 and hearing aids for children. The department may  
30 enter into a contract to administer this paragraph.

31 g. Of the funds appropriated in this subsection,  
32 \$12,500 is transferred to the university of Iowa  
33 college of dentistry for provision of primary dental  
34 services to children. State funds shall be matched  
35 on a dollar-for-dollar basis. The university of Iowa  
36 college of dentistry shall coordinate efforts with the  
37 department of public health, bureau of oral health,  
38 to provide dental care to underserved populations  
39 throughout the state.

40 h. Of the funds appropriated in this subsection,  
41 \$25,000 shall be used to address youth suicide  
42 prevention.

43 3. CHRONIC CONDITIONS

44 For serving individuals identified as having chronic  
45 conditions or special health care needs, and for not  
46 more than the following full-time equivalent positions:

47 .....	\$	2,077,715
48 .....	FTEs	4.00

49 a. Of the funds appropriated in this subsection,  
50 \$79,966 shall be used for grants to individual patients

1 who have phenylketonuria (PKU) to assist with the costs  
2 of necessary special foods.

3     b. Of the funds appropriated in this subsection,  
4 \$240,822 is allocated for continuation of the contracts  
5 for resource facilitator services in accordance with  
6 section 135.22B, subsection 9, and for brain injury  
7 training services and recruiting of service providers  
8 to increase the capacity within this state to address  
9 the needs of individuals with brain injuries and such  
10 individuals' families.

11     c. Of the funds appropriated in this subsection,  
12 \$273,991 shall be used as additional funding to  
13 leverage federal funding through the federal Ryan  
14 White Care Act, Tit. II, AIDS drug assistance program  
15 supplemental drug treatment grants.

16     d. Of the funds appropriated in this subsection,  
17 \$24,912 shall be used for the public purpose of  
18 providing a grant to an existing national-affiliated  
19 organization to provide education, client-centered  
20 programs, and client and family support for people  
21 living with epilepsy and their families.

22     e. Of the funds appropriated in this subsection,  
23 \$392,557 shall be used for child health specialty  
24 clinics.

25     f. Of the funds appropriated in this subsection,  
26 \$100,000 shall be used by the regional autism  
27 assistance program established pursuant to section  
28 256.35, and administered by the child health specialty  
29 clinic located at the university of Iowa hospitals  
30 and clinics. The funds shall be used to enhance  
31 interagency collaboration and coordination of  
32 educational, medical, and other human services for  
33 persons with autism, their families, and providers of  
34 services, including delivering regionalized services of  
35 care coordination, family navigation, and integration  
36 of services through the statewide system of regional  
37 child health specialty clinics and fulfilling other  
38 requirements as specified in chapter 225D, creating the  
39 autism support program, as enacted in this Act. The  
40 university of Iowa shall not receive funds allocated  
41 under this paragraph for indirect costs associated with  
42 the regional autism assistance program.

43     g. Of the funds appropriated in this subsection,  
44 \$235,497 shall be used for the comprehensive cancer  
45 control program to reduce the burden of cancer in  
46 Iowa through prevention, early detection, effective  
47 treatment, and ensuring quality of life. Of the funds  
48 allocated in this lettered paragraph, \$75,000 shall  
49 be used to support a melanoma research symposium,  
50 a melanoma biorepository and registry, basic and

1 translational melanoma research, and clinical trials.  
2 h. Of the funds appropriated in this subsection,  
3 \$63,225 shall be used for cervical and colon cancer  
4 screening, and \$250,000 shall be used to enhance the  
5 capacity of the cervical cancer screening program to  
6 include provision of recommended prevention and early  
7 detection measures to a broader range of low-income  
8 women.

9 i. Of the funds appropriated in this subsection,  
10 \$263,348 shall be used for the center for congenital  
11 and inherited disorders.

12 j. Of the funds appropriated in this subsection,  
13 \$64,706 shall be used for the prescription drug  
14 donation repository program created in chapter 135M.

15 4. COMMUNITY CAPACITY

16 For strengthening the health care delivery system at  
17 the local level, and for not more than the following  
18 full-time equivalent positions:

19 .....	\$	2,342,577
20 .....	FTEs	14.00

21 a. Of the funds appropriated in this subsection,  
22 \$49,707 is allocated for a child vision screening  
23 program implemented through the university of Iowa  
24 hospitals and clinics in collaboration with early  
25 childhood Iowa areas. The program shall submit a  
26 report to the individuals identified in this Act  
27 for submission of reports regarding the use of funds  
28 allocated under this paragraph "a". The report shall  
29 include the objectives and results for the year of  
30 the program's implementation including the target  
31 population and how the funds allocated assisted the  
32 program in meeting the objectives; the number, age, and  
33 location within the state of individuals served; the  
34 type of services provided to the individuals served;  
35 the distribution of funds based on service provided;  
36 and the continuing needs of the program.

37 b. Of the funds appropriated in this subsection,  
38 \$55,328 is allocated for continuation of an initiative  
39 implemented at the university of Iowa and \$49,952 is  
40 allocated for continuation of an initiative at the  
41 state mental health institute at Cherokee to expand  
42 and improve the workforce engaged in mental health  
43 treatment and services. The initiatives shall receive  
44 input from the university of Iowa, the department of  
45 human services, the department of public health, and  
46 the mental health and disability services commission to  
47 address the focus of the initiatives.

48 c. Of the funds appropriated in this subsection,  
49 \$582,314 shall be used for essential public health  
50 services that promote healthy aging throughout the

1 lifespan, contracted through a formula for local boards  
2 of health, to enhance health promotion and disease  
3 prevention services.

4 d. Of the funds appropriated in this section,  
5 \$49,643 shall be deposited in the governmental public  
6 health system fund created in section 135A.8 to be used  
7 for the purposes of the fund.

8 e. Of the funds appropriated in this subsection,  
9 \$52,724 shall be used for the mental health  
10 professional shortage area program implemented pursuant  
11 to section 135.180.

12 f. Of the funds appropriated in this subsection,  
13 \$25,000 shall be used for a grant to a statewide  
14 association of psychologists that is affiliated  
15 with the American psychological association to be  
16 used for continuation of a program to rotate intern  
17 psychologists in placements in urban and rural mental  
18 health professional shortage areas, as defined in  
19 section 135.180.

20 g. Of the funds appropriated in this subsection,  
21 the following amounts shall be allocated to the Iowa  
22 collaborative safety net provider network established  
23 pursuant to section 135.153 to be used for the purposes  
24 designated. The following amounts allocated under  
25 this lettered paragraph shall be distributed to  
26 the specified provider and shall not be reduced for  
27 administrative or other costs prior to distribution:

28 (1) For distribution to the Iowa primary care  
29 association to be used to establish a grant program  
30 for training sexual assault response team (SART)  
31 members, including representatives of law enforcement,  
32 victim advocates, prosecutors, and certified medical  
33 personnel:

34 ..... \$ 25,000

35 (2) For distribution to federally qualified health  
36 centers for necessary infrastructure, statewide  
37 coordination, provider recruitment, service delivery,  
38 and provision of assistance to patients in determining  
39 an appropriate medical home:

40 ..... \$ 37,500

41 (3) For distribution to the local boards of health  
42 that provide direct services for pilot programs in  
43 three counties to assist patients in determining an  
44 appropriate medical home:

45 ..... \$ 38,577

46 (4) For distribution to maternal and child health  
47 centers for pilot programs in three counties to assist  
48 patients in determining an appropriate medical home:

49 ..... \$ 47,563

50 (5) For distribution to free clinics for necessary



1 infrastructure, statewide coordination, provider  
2 recruitment, service delivery, and provision of  
3 assistance to patients in determining an appropriate  
4 medical home:  
5 ..... \$ 136,661  
6 (6) For distribution to rural health clinics for  
7 necessary infrastructure, statewide coordination,  
8 provider recruitment, service delivery, and provision  
9 of assistance to patients in determining an appropriate  
10 medical home:  
11 ..... \$ 70,772  
12 (7) For continuation of the safety net provider  
13 patient access to specialty health care initiative as  
14 described in 2007 Iowa Acts, chapter 218, section 109:  
15 ..... \$ 154,237  
16 (8) For continuation of the pharmaceutical  
17 infrastructure for safety net providers as described in  
18 2007 Iowa Acts, chapter 218, section 108:  
19 ..... \$ 159,208  
20 The Iowa collaborative safety net provider network  
21 may continue to distribute funds allocated pursuant to  
22 this lettered paragraph through existing contracts or  
23 renewal of existing contracts.  
24 h. Of the funds appropriated in this subsection,  
25 \$111,013 is transferred to the department of  
26 workforce development to continue to implement the  
27 recommendations in the final report submitted to the  
28 governor and the general assembly in March 2012, by  
29 the direct care worker advisory council established  
30 pursuant to 2008 Iowa Acts, chapter 1188, section 69.  
31 i. Of the funds appropriated in this subsection,  
32 the department may use up to \$29,088 for up to one  
33 full-time equivalent position to administer the  
34 volunteer health care provider program pursuant to  
35 section 135.24.  
36 j. Of the funds appropriated in this subsection,  
37 \$24,854 shall be used for a matching dental education  
38 loan repayment program to be allocated to a dental  
39 nonprofit health service corporation to develop the  
40 criteria and implement the loan repayment program.  
41 k. Of the funds appropriated in this subsection,  
42 \$52,912 is transferred to the college student aid  
43 commission for deposit in the rural Iowa primary care  
44 trust fund created in section 261.113 to be used for  
45 the purposes of the fund.  
46 l. Of the funds appropriated in this subsection,  
47 \$25,000 shall be used for the purposes of the Iowa  
48 donor registry as specified in section 142C.18.  
49 m. Of the funds appropriated in this subsection,  
50 \$50,000 shall be used for continuation of a grant to a



1 nationally affiliated volunteer eye organization that  
2 has an established program for children and adults  
3 and that is solely dedicated to preserving sight and  
4 preventing blindness through education, nationally  
5 certified vision screening and training, and community  
6 and patient service programs. The organization shall  
7 submit a report to the individuals identified in this  
8 Act for submission of reports regarding the use of  
9 funds allocated under this paragraph "m". The report  
10 shall include the objectives and results for the year  
11 of the program's implementation including the target  
12 population and how the funds allocated assisted the  
13 program in meeting the objectives; the number, age, and  
14 location within the state of individuals served; the  
15 type of services provided to the individuals served;  
16 the distribution of funds based on service provided;  
17 and the continuing needs of the program.

18 n. Of the funds appropriated in this section,  
19 \$25,000 shall be distributed to a statewide nonprofit  
20 organization to be used for the public purpose of  
21 supporting a partnership between medical providers and  
22 parents through community health centers to promote  
23 reading and encourage literacy skills so children enter  
24 school prepared for success in reading.

25 o. A portion of the funds appropriated in this  
26 subsection that are not allocated, used, obligated,  
27 or otherwise encumbered may be used to administer the  
28 vision screening program created pursuant to section  
29 135.39D, as enacted by 2013 Iowa Acts, [Senate File 419](#).

30 5. HEALTHY AGING

31 To provide public health services that reduce risks  
32 and invest in promoting and protecting good health over  
33 the course of a lifetime with a priority given to older  
34 Iowans and vulnerable populations:

35 ..... \$ 3,648,571

36 a. Of the funds appropriated in this subsection,  
37 \$1,004,594 shall be used for local public health  
38 nursing services.

39 b. Of the funds appropriated in this subsection,  
40 \$2,643,978 shall be used for home care aide services.

41 6. ENVIRONMENTAL HAZARDS

42 For reducing the public's exposure to hazards in the  
43 environment, primarily chemical hazards, and for not  
44 more than the following full-time equivalent positions:

45 ..... \$ 401,935

46 ..... FTEs 4.00

47 Of the funds appropriated in this subsection,  
48 \$268,875 shall be used for childhood lead poisoning  
49 provisions.

50 7. INFECTIOUS DISEASES

1 For reducing the incidence and prevalence of  
2 communicable diseases, and for not more than the  
3 following full-time equivalent positions:  
4 ..... \$ 667,578  
5 ..... FTEs 4.00

6 8. PUBLIC PROTECTION

7 For protecting the health and safety of the  
8 public through establishing standards and enforcing  
9 regulations, and for not more than the following  
10 full-time equivalent positions:  
11 ..... \$ 1,601,886  
12 ..... FTEs 131.00

13 a. Of the funds appropriated in this subsection,  
14 not more than \$227,350 shall be credited to the  
15 emergency medical services fund created in section  
16 135.25. Moneys in the emergency medical services fund  
17 are appropriated to the department to be used for the  
18 purposes of the fund.

19 b. Of the funds appropriated in this subsection,  
20 \$101,516 shall be used for sexual violence prevention  
21 programming through a statewide organization  
22 representing programs serving victims of sexual  
23 violence through the department's sexual violence  
24 prevention program. The amount allocated in this  
25 lettered paragraph shall not be used to supplant  
26 funding administered for other sexual violence  
27 prevention or victims assistance programs.

28 c. Of the funds appropriated in this subsection,  
29 not more than \$261,876 shall be used for the state  
30 poison control center.

31 9. RESOURCE MANAGEMENT

32 For establishing and sustaining the overall  
33 ability of the department to deliver services to the  
34 public, and for not more than the following full-time  
35 equivalent positions:

36 ..... \$ 402,027  
37 ..... FTEs 5.00

38 The university of Iowa hospitals and clinics under  
39 the control of the state board of regents shall not  
40 receive indirect costs from the funds appropriated in  
41 this section. The university of Iowa hospitals and  
42 clinics billings to the department shall be on at least  
43 a quarterly basis.

44 DIVISION XVIII

45 DEPARTMENT OF VETERANS AFFAIRS ---- FY 2014-2015

46 Sec. 85. DEPARTMENT OF VETERANS AFFAIRS. There  
47 is appropriated from the general fund of the state to  
48 the department of veterans affairs for the fiscal year  
49 beginning July 1, 2014, and ending June 30, 2015, the  
50 following amounts, or so much thereof as is necessary,

1 to be used for the purposes designated:

2 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

3 For salaries, support, maintenance, and

4 miscellaneous purposes, including the war orphans

5 educational assistance fund created in section 35.8,

6 or a successor funding provision for war orphans

7 educational assistance, if enacted, and for not more

8 than the following full-time equivalent positions:

9 ..... \$ 546,754

10 ..... FTEs 13.00

11 2. IOWA VETERANS HOME

12 For salaries, support, maintenance, and

13 miscellaneous purposes:

14 ..... \$ 3,762,857

15 a. The Iowa veterans home billings involving the  
16 department of human services shall be submitted to the  
17 department on at least a monthly basis.

18 b. If there is a change in the employer of  
19 employees providing services at the Iowa veterans home  
20 under a collective bargaining agreement, such employees  
21 and the agreement shall be continued by the successor  
22 employer as though there had not been a change in  
23 employer.

24 c. Within available resources and in conformance  
25 with associated state and federal program eligibility  
26 requirements, the Iowa veterans home may implement  
27 measures to provide financial assistance to or  
28 on behalf of veterans or their spouses who are  
29 participating in the community reentry program.

30 d. The Iowa veterans home expenditure report  
31 shall be submitted monthly to the legislative services  
32 agency.

33 4. HOME OWNERSHIP ASSISTANCE PROGRAM

34 For transfer to the Iowa finance authority for the

35 continuation of the home ownership assistance program

36 for persons who are or were eligible members of the

37 armed forces of the United States, pursuant to section

38 16.54:

39 ..... \$ 800,000

40 Sec. 86. LIMITATION OF COUNTY

41 COMMISSIONS OF VETERAN AFFAIRS FUND STANDING

42 APPROPRIATIONS. Notwithstanding the standing

43 appropriation in the following designated section for

44 the fiscal year beginning July 1, 2014, and ending June

45 30, 2015, the amounts appropriated from the general

46 fund of the state pursuant to that section for the

47 following designated purposes shall not exceed the

48 following amount:

49 For the county commissions of veteran affairs fund

50 under section 35A.16:

1 ..... \$ 495,000

2 DIVISION XIX

3 DEPARTMENT OF HUMAN SERVICES ---- FY 2014-2015

4 Sec. 87. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

5 BLOCK GRANT. There is appropriated from the fund

6 created in section 8.41 to the department of human

7 services for the fiscal year beginning July 1, 2014,

8 and ending June 30, 2015, from moneys received under

9 the federal temporary assistance for needy families

10 (TANF) block grant pursuant to the federal Personal

11 Responsibility and Work Opportunity Reconciliation

12 Act of 1996, Pub. L. No. 104-193, and successor

13 legislation, the following amounts, or so much

14 thereof as is necessary, to be used for the purposes

15 designated:

16 1. To be credited to the family investment program

17 account and used for assistance under the family

18 investment program under chapter 239B:

19 ..... \$ 9,058,474

20 2. To be credited to the family investment program

21 account and used for the job opportunities and

22 basic skills (JOBS) program and implementing family

23 investment agreements in accordance with chapter 239B:

24 ..... \$ 5,733,220

25 3. To be used for the family development and

26 self-sufficiency grant program in accordance with

27 section 216A.107:

28 ..... \$ 1,449,490

29 Notwithstanding section 8.33, moneys appropriated in

30 this subsection that remain unencumbered or unobligated

31 at the close of the fiscal year shall not revert but

32 shall remain available for expenditure for the purposes

33 designated until the close of the succeeding fiscal

34 year. However, unless such moneys are encumbered or

35 obligated on or before September 30, 2015, the moneys

36 shall revert.

37 4. For field operations:

38 ..... \$ 15,648,116

39 5. For general administration:

40 ..... \$ 1,872,000

41 6. For state child care assistance:

42 ..... \$ 12,866,344

43 The funds appropriated in this subsection are

44 transferred to the child care and development block

45 grant appropriation made by the Eighty-fifth General

46 Assembly, 2013 Session, for the federal fiscal year

47 beginning October 1, 2014, and ending September 30,

48 2015. Of this amount, \$100,000 shall be used for

49 provision of educational opportunities to registered

50 child care home providers in order to improve services

1 and programs offered by this category of providers and  
2 to increase the number of providers. The department  
3 may contract with institutions of higher education or  
4 child care resource and referral centers to provide the  
5 educational opportunities. Allowable administrative  
6 costs under the contracts shall not exceed 5 percent.  
7 The application for a grant shall not exceed two pages  
8 in length.

9 7. For distribution to counties or regions for  
10 services for persons with mental illness or an  
11 intellectual disability:

12 ..... \$ 2,447,026

13 8. For child and family services:

14 ..... \$ 16,042,215

15 9. For child abuse prevention grants:

16 ..... \$ 64,500

17 10. For pregnancy prevention grants on the  
18 condition that family planning services are funded:

19 ..... \$ 965,034

20 Pregnancy prevention grants shall be awarded to  
21 programs in existence on or before July 1, 2014, if the  
22 programs have demonstrated positive outcomes. Grants  
23 shall be awarded to pregnancy prevention programs  
24 which are developed after July 1, 2014, if the programs  
25 are based on existing models that have demonstrated  
26 positive outcomes. Grants shall comply with the  
27 requirements provided in 1997 Iowa Acts, chapter  
28 208, section 14, subsections 1 and 2, including the  
29 requirement that grant programs must emphasize sexual  
30 abstinence. Priority in the awarding of grants shall  
31 be given to programs that serve areas of the state  
32 which demonstrate the highest percentage of unplanned  
33 pregnancies of females of childbearing age within the  
34 geographic area to be served by the grant.

35 11. For technology needs and other resources

36 necessary to meet federal welfare reform reporting,  
37 tracking, and case management requirements:

38 ..... \$ 518,593

39 12. For the family investment program share of  
40 the costs to develop and maintain a new, integrated  
41 eligibility determination system:

42 ..... \$ 2,525,226

43 13. a. Notwithstanding any provision to the  
44 contrary, including but not limited to requirements  
45 in section 8.41 or provisions in 2013 or 2014 Iowa  
46 Acts regarding the receipt and appropriation of  
47 federal block grants, federal funds from the temporary  
48 assistance for needy families block grant received by  
49 the state not otherwise appropriated in this section  
50 and remaining available for the fiscal year beginning

1 July 1, 2013, are appropriated to the department of  
2 human services to the extent as may be necessary to  
3 be used in the following priority order: the family  
4 investment program, for state child care assistance  
5 program payments for individuals enrolled in the  
6 family investment program who are employed, and  
7 for the family investment program share of costs to  
8 develop and maintain a new, integrated eligibility  
9 determination system. The federal funds appropriated  
10 in this paragraph "a" shall be expended only after  
11 all other funds appropriated in subsection 1 for  
12 the assistance under the family investment program,  
13 in subsection 6 for child care assistance, or in  
14 subsection 13 for the family investment program share  
15 of the costs to develop and maintain a new, integrated  
16 eligibility determination system, as applicable, have  
17 been expended.

18 b. The department shall, on a quarterly basis,  
19 advise the legislative services agency and department  
20 of management of the amount of funds appropriated in  
21 this subsection that was expended in the prior quarter.

22 14. Of the amounts appropriated in this section,  
23 \$6,481,004 for the fiscal year beginning July 1, 2014,  
24 is transferred to the appropriation of the federal  
25 social services block grant made to the department of  
26 human services for that fiscal year.

27 15. For continuation of the program providing  
28 categorical eligibility for the food assistance program  
29 as specified for the program in the section of this  
30 division relating to the family investment program  
31 account:

32 ..... \$ 12,500

33 16. The department may transfer funds allocated  
34 in this section to the appropriations made in this  
35 division of this Act for the same fiscal year for  
36 general administration and field operations for  
37 resources necessary to implement and operate the  
38 services referred to in this section and those funded  
39 in the appropriation made in this division of this Act  
40 for the same fiscal year for the family investment  
41 program from the general fund of the state.

42 Sec. 88. FAMILY INVESTMENT PROGRAM ACCOUNT.

43 1. Moneys credited to the family investment program  
44 (FIP) account for the fiscal year beginning July  
45 1, 2014, and ending June 30, 2015, shall be used to  
46 provide assistance in accordance with chapter 239B.

47 2. The department may use a portion of the moneys  
48 credited to the FIP account under this section as  
49 necessary for salaries, support, maintenance, and  
50 miscellaneous purposes.

1 3. The department may transfer funds allocated  
2 in this section to the appropriations made in this  
3 division of this Act for the same fiscal year for  
4 general administration and field operations for  
5 resources necessary to implement and operate the  
6 services referred to in this section and those funded  
7 in the appropriation made in this division of this Act  
8 for the same fiscal year for the family investment  
9 program from the general fund of the state.

10 4. Moneys appropriated in this division of this Act  
11 and credited to the FIP account for the fiscal year  
12 beginning July 1, 2014, and ending June 30, 2015, are  
13 allocated as follows:

14 a. To be retained by the department of human  
15 services to be used for coordinating with the  
16 department of human rights to more effectively serve  
17 participants in the FIP program and other shared  
18 clients and to meet federal reporting requirements  
19 under the federal temporary assistance for needy  
20 families block grant:  
21 ..... \$ 10,000

22 b. To the department of human rights for staffing,  
23 administration, and implementation of the family  
24 development and self-sufficiency grant program in  
25 accordance with section 216A.107:  
26 ..... \$ 2,771,417

27 (1) Of the funds allocated for the family  
28 development and self-sufficiency grant program in this  
29 lettered paragraph, not more than 5 percent of the  
30 funds shall be used for the administration of the grant  
31 program.

32 (2) The department of human rights may continue to  
33 implement the family development and self-sufficiency  
34 grant program statewide during fiscal year 2014-2015.

35 c. For the diversion subaccount of the FIP account:  
36 ..... \$ 849,200

37 A portion of the moneys allocated for the subaccount  
38 may be used for field operations salaries, data  
39 management system development, and implementation  
40 costs and support deemed necessary by the director  
41 of human services in order to administer the FIP  
42 diversion program. To the extent moneys allocated  
43 in this lettered paragraph are not deemed by the  
44 department to be necessary to support diversion  
45 activities, such moneys may be used for other efforts  
46 intended to increase engagement by family investment  
47 program participants in work, education, or training  
48 activities.

49 d. For the food assistance employment and training  
50 program:



1 ..... \$ 33,294  
2 (1) The department shall amend the federal  
3 supplemental nutrition assistance program (SNAP)  
4 employment and training state plan in order to maximize  
5 to the fullest extent permitted by federal law the  
6 use of the 50-50 match provisions for the claiming  
7 of allowable federal matching funds from the United  
8 States department of agriculture pursuant to the  
9 federal SNAP employment and training program for  
10 providing education, employment, and training services  
11 for eligible food assistance program participants,  
12 including but not limited to related dependent care and  
13 transportation expenses.  
14 (2) The department shall continue the categorical  
15 federal food assistance program eligibility at 160  
16 percent of the federal poverty level and continue to  
17 eliminate the asset test from eligibility requirements,  
18 consistent with federal food assistance program  
19 requirements. The department shall include as many  
20 food assistance households as is allowed by federal  
21 law. The eligibility provisions shall conform to all  
22 federal requirements including requirements addressing  
23 individuals who are incarcerated or otherwise  
24 ineligible.  
25 e. For the JOBS program:  
26 ..... \$ 9,845,408  
27 5. Of the child support collections assigned under  
28 FIP, an amount equal to the federal share of support  
29 collections shall be credited to the child support  
30 recovery appropriation made in this division of this  
31 Act. Of the remainder of the assigned child support  
32 collections received by the child support recovery  
33 unit, a portion shall be credited to the FIP account,  
34 a portion may be used to increase recoveries, and a  
35 portion may be used to sustain cash flow in the child  
36 support payments account. If as a consequence of the  
37 appropriations and allocations made in this section  
38 the resulting amounts are insufficient to sustain  
39 cash assistance payments and meet federal maintenance  
40 of effort requirements, the department shall seek  
41 supplemental funding. If child support collections  
42 assigned under FIP are greater than estimated or are  
43 otherwise determined not to be required for maintenance  
44 of effort, the state share of either amount may be  
45 transferred to or retained in the child support payment  
46 account.  
47 6. The department may adopt emergency rules for the  
48 family investment, JOBS, food assistance, and medical  
49 assistance programs if necessary to comply with federal  
50 requirements.

1 Sec. 89. FAMILY INVESTMENT PROGRAM GENERAL

2 FUND. There is appropriated from the general fund of  
3 the state to the department of human services for the  
4 fiscal year beginning July 1, 2014, and ending June 30,  
5 2015, the following amount, or so much thereof as is  
6 necessary, to be used for the purpose designated:

7 To be credited to the family investment program  
8 (FIP) account and used for family investment program  
9 assistance under chapter 239B:

10 ..... \$ 23,948,607

11 1. Of the funds appropriated in this section,  
12 \$3,912,189 is allocated for the JOBS program.

13 2. Of the funds appropriated in this section,  
14 \$1,331,927 is allocated for the family development and  
15 self-sufficiency grant program.

16 3. Notwithstanding section 8.39, for the fiscal  
17 year beginning July 1, 2014, if necessary to meet  
18 federal maintenance of effort requirements or to  
19 transfer federal temporary assistance for needy  
20 families block grant funding to be used for purposes  
21 of the federal social services block grant or to meet  
22 cash flow needs resulting from delays in receiving  
23 federal funding or to implement, in accordance with  
24 this division of this Act, activities currently funded  
25 with juvenile court services, county, or community  
26 moneys and state moneys used in combination with such  
27 moneys, the department of human services may transfer  
28 funds within or between any of the appropriations made  
29 in this division of this Act and appropriations in law  
30 for the federal social services block grant to the  
31 department for the following purposes, provided that  
32 the combined amount of state and federal temporary  
33 assistance for needy families block grant funding for  
34 each appropriation remains the same before and after  
35 the transfer:

36 a. For the family investment program.

37 b. For child care assistance.

38 c. For child and family services.

39 d. For field operations.

40 e. For general administration.

41 f. For distribution to counties or regions  
42 for services to persons with mental illness or an  
43 intellectual disability.

44 This subsection shall not be construed to prohibit  
45 the use of existing state transfer authority for other  
46 purposes. The department shall report any transfers  
47 made pursuant to this subsection to the legislative  
48 services agency.

49 4. Of the funds appropriated in this section,  
50 \$97,839 shall be used for continuation of a grant to

1 an Iowa-based nonprofit organization with a history  
2 of providing tax preparation assistance to low-income  
3 Iowans in order to expand the usage of the earned  
4 income tax credit. The purpose of the grant is to  
5 supply this assistance to underserved areas of the  
6 state.

7 5. The department may transfer funds appropriated  
8 in this section to the appropriations made in this  
9 division of this Act for general administration and  
10 field operations as necessary to administer this  
11 section and the overall family investment program.

12 Sec. 90. CHILD SUPPORT RECOVERY. There is  
13 appropriated from the general fund of the state to  
14 the department of human services for the fiscal year  
15 beginning July 1, 2014, and ending June 30, 2015, the  
16 following amount, or so much thereof as is necessary,  
17 to be used for the purposes designated:

18 For child support recovery, including salaries,  
19 support, maintenance, and miscellaneous purposes, and  
20 for not more than the following full-time equivalent  
21 positions:

22 .....	\$	7,086,885
23 .....	FTEs	464.00

24 1. The department shall expend up to \$12,165,  
25 including federal financial participation, for the  
26 fiscal year beginning July 1, 2014, for a child support  
27 public awareness campaign. The department and the  
28 office of the attorney general shall cooperate in  
29 continuation of the campaign. The public awareness  
30 campaign shall emphasize, through a variety of media  
31 activities, the importance of maximum involvement of  
32 both parents in the lives of their children as well as  
33 the importance of payment of child support obligations.

34 2. Federal access and visitation grant moneys shall  
35 be issued directly to private not-for-profit agencies  
36 that provide services designed to increase compliance  
37 with the child access provisions of court orders,  
38 including but not limited to neutral visitation sites  
39 and mediation services.

40 3. The appropriation made to the department for  
41 child support recovery may be used throughout the  
42 fiscal year in the manner necessary for purposes of  
43 cash flow management, and for cash flow management  
44 purposes the department may temporarily draw more  
45 than the amount appropriated, provided the amount  
46 appropriated is not exceeded at the close of the fiscal  
47 year.

48 4. With the exception of the funding amount  
49 specified, the requirements established under 2001  
50 Iowa Acts, chapter 191, section 3, subsection 5,

1 paragraph "c", subparagraph (3), shall be applicable  
2 to parental obligation pilot projects for the fiscal  
3 year beginning July 1, 2014, and ending June 30,  
4 2015. Notwithstanding [441 IAC 100.8](#), providing for  
5 termination of rules relating to the pilot projects,  
6 the rules shall remain in effect until June 30, 2015.

7 Sec. 91. HEALTH CARE TRUST FUND ---- MEDICAL  
8 ASSISTANCE ---- FY 2014-2015. Any funds remaining in the  
9 health care trust fund created in section 453A.35A for  
10 the fiscal year beginning July 1, 2014, and ending June  
11 30, 2015, are appropriated to the department of human  
12 services to supplement the medical assistance program  
13 appropriations made in this division of this Act, for  
14 medical assistance reimbursement and associated costs,  
15 including program administration and costs associated  
16 with program implementation.

17 Sec. 92. MEDICAID FRAUD FUND ---- MEDICAL ASSISTANCE  
18 ---- FY 2014-2015. Any funds remaining in the Medicaid  
19 fraud fund created in section 249A.7 for the fiscal  
20 year beginning July 1, 2014, and ending June 30, 2015,  
21 are appropriated to the department of human services to  
22 supplement the medical assistance appropriations made  
23 in this division of this Act, for medical assistance  
24 reimbursement and associated costs, including program  
25 administration and costs associated with program  
26 implementation.

27 Sec. 93. MEDICAL ASSISTANCE. There is appropriated  
28 from the general fund of the state to the department of  
29 human services for the fiscal year beginning July 1,  
30 2014, and ending June 30, 2015, the following amount,  
31 or so much thereof as is necessary, to be used for the  
32 purpose designated:

33 For medical assistance program reimbursement and  
34 associated costs as specifically provided in the  
35 reimbursement methodologies in effect on June 30, 2014,  
36 except as otherwise expressly authorized by law:

37 ..... \$1,126,161,962

38 1. a. Funds appropriated in this section that  
39 are distributed to a hospital, as defined in section  
40 135B.1, or to a person, as defined in section 4.1, who  
41 received funding from the IowaCare account created in  
42 section 249J.24, Code 2013, shall not be used for the  
43 willful termination of human life.

44 b. With the exception of the distributions in  
45 paragraph "a", funds appropriated under this section  
46 shall not be distributed to any person, as defined  
47 in section 4.1, who participates in the willful  
48 termination of human life.

49 2. The department shall utilize not more than  
50 \$60,000 of the funds appropriated in this section

1 to continue the AIDS/HIV health insurance premium  
2 payment program as established in 1992 Iowa Acts,  
3 Second Extraordinary Session, chapter 1001, section  
4 409, subsection 6. Of the funds allocated in this  
5 subsection, not more than \$5,000 may be expended for  
6 administrative purposes.

7 3. Of the funds appropriated in this Act to the  
8 department of public health for addictive disorders,  
9 \$950,000 for the fiscal year beginning July 1, 2014, is  
10 transferred to the department of human services for an  
11 integrated substance abuse managed care system. The  
12 department shall not assume management of the substance  
13 abuse system in place of the managed care contractor  
14 unless such a change in approach is specifically  
15 authorized in law. The departments of human services  
16 and public health shall work together to maintain the  
17 level of mental health and substance-related disorder  
18 treatment services provided by the managed care  
19 contractor through the Iowa plan for behavioral health.  
20 Each department shall take the steps necessary to  
21 continue the federal waivers as necessary to maintain  
22 the level of services.

23 4. a. The department shall aggressively pursue  
24 options for providing medical assistance or other  
25 assistance to individuals with special needs who become  
26 ineligible to continue receiving services under the  
27 early and periodic screening, diagnostic, and treatment  
28 program under the medical assistance program due  
29 to becoming 21 years of age who have been approved  
30 for additional assistance through the department's  
31 exception to policy provisions, but who have health  
32 care needs in excess of the funding available through  
33 the exception to policy provisions.

34 b. Of the funds appropriated in this section,  
35 \$100,000 shall be used for participation in one or more  
36 pilot projects operated by a private provider to allow  
37 the individual or individuals to receive service in the  
38 community in accordance with principles established in  
39 *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose  
40 of providing medical assistance or other assistance to  
41 individuals with special needs who become ineligible  
42 to continue receiving services under the early and  
43 periodic screening, diagnosis, and treatment program  
44 under the medical assistance program due to becoming  
45 21 years of age who have been approved for additional  
46 assistance through the department's exception to policy  
47 provisions, but who have health care needs in excess  
48 of the funding available through the exception to the  
49 policy provisions.

50 5. Of the funds appropriated in this section, up to

1 \$3,050,082 may be transferred to the field operations  
2 or general administration appropriations in this Act  
3 for operational costs associated with Part D of the  
4 federal Medicare Prescription Drug Improvement and  
5 Modernization Act of 2003, Pub. L. No. 108-173.

6 6. Of the funds appropriated in this section, up  
7 to \$442,100 may be transferred to the appropriation  
8 in this division of this Act for medical contracts  
9 to be used for clinical assessment services and prior  
10 authorization of services.

11 7. A portion of the funds appropriated in this  
12 section may be transferred to the appropriations in  
13 this division of this Act for general administration,  
14 medical contracts, the children's health insurance  
15 program, or field operations to be used for the  
16 state match cost to comply with the payment error  
17 rate measurement (PERM) program for both the medical  
18 assistance and children's health insurance programs  
19 as developed by the centers for Medicare and Medicaid  
20 services of the United States department of health and  
21 human services to comply with the federal Improper  
22 Payments Information Act of 2002, Pub. L. No. 107-300.

23 8. It is the intent of the general assembly  
24 that the department continue to implement the  
25 recommendations of the assuring better child health  
26 and development initiative II (ABCDII) clinical panel  
27 to the Iowa early and periodic screening, diagnostic,  
28 and treatment services healthy mental development  
29 collaborative board regarding changes to billing  
30 procedures, codes, and eligible service providers.

31 9. Of the funds appropriated in this section,  
32 a sufficient amount is allocated to supplement  
33 the incomes of residents of nursing facilities,  
34 intermediate care facilities for persons with mental  
35 illness, and intermediate care facilities for persons  
36 with an intellectual disability, with incomes of less  
37 than \$50 in the amount necessary for the residents to  
38 receive a personal needs allowance of \$50 per month  
39 pursuant to section 249A.30A.

40 10. Of the funds appropriated in this section, the  
41 following amounts are transferred to the appropriations  
42 made in this division of this Act for the state mental  
43 health institutes:

44 a. Cherokee mental health institute .....	\$ 9,098,425
45 b. Clarinda mental health institute .....	\$ 1,977,305
46 c. Independence mental health	
47 institute .....	\$ 9,045,894
48 d. Mount Pleasant mental health institute	
49 .....	\$ 5,752,587

50 11. a. Of the funds appropriated in this section,



1 \$7,969,074 is allocated for the state match for a  
2 disproportionate share hospital payment of \$19,133,430  
3 to hospitals that meet both of the conditions specified  
4 in subparagraphs (1) and (2). In addition, the  
5 hospitals that meet the conditions specified shall  
6 either certify public expenditures or transfer to  
7 the medical assistance program an amount equal to  
8 provide the nonfederal share for a disproportionate  
9 share hospital payment of \$7,500,000. The hospitals  
10 that meet the conditions specified shall receive and  
11 retain 100 percent of the total disproportionate share  
12 hospital payment of \$26,633,430.

13 (1) The hospital qualifies for disproportionate  
14 share and graduate medical education payments.

15 (2) The hospital is an Iowa state-owned hospital  
16 with more than 500 beds and eight or more distinct  
17 residency specialty or subspecialty programs recognized  
18 by the American college of graduate medical education.

19 b. Distribution of the disproportionate share  
20 payments shall be made on a monthly basis. The total  
21 amount of disproportionate share payments including  
22 graduate medical education, enhanced disproportionate  
23 share, and Iowa state-owned teaching hospital payments  
24 shall not exceed the amount of the state's allotment  
25 under Pub. L. No. 102-234. In addition, the total  
26 amount of all disproportionate share payments shall not  
27 exceed the hospital-specific disproportionate share  
28 limits under Pub. L. No. 103-66.

29 12. The university of Iowa hospitals and clinics  
30 shall either certify public expenditures or transfer to  
31 the medical assistance appropriation an amount equal  
32 to provide the nonfederal share for increased medical  
33 assistance payments for inpatient and outpatient  
34 hospital services of \$9,900,000. The university of  
35 Iowa hospitals and clinics shall receive and retain 100  
36 percent of the total increase in medical assistance  
37 payments.

38 13. One hundred percent of the nonfederal share of  
39 payments to area education agencies that are medical  
40 assistance providers for medical assistance-covered  
41 services provided to medical assistance-covered  
42 children, shall be made from the appropriation made in  
43 this section.

44 14. Any new or renewed contract entered into by the  
45 department with a third party to administer behavioral  
46 health services under the medical assistance program  
47 shall provide that any interest earned on payments  
48 from the state during the state fiscal year shall be  
49 remitted to the department and treated as recoveries to  
50 offset the costs of the medical assistance program.



1 15. The department shall continue to implement the  
2 provisions in 2007 Iowa Acts, chapter 218, section  
3 124 and section 126, as amended by 2008 Iowa Acts,  
4 chapter 1188, section 55, relating to eligibility for  
5 certain persons with disabilities under the medical  
6 assistance program in accordance with the federal  
7 Family Opportunity Act.

8 16. A portion of the funds appropriated in this  
9 section may be transferred to the appropriation in this  
10 division of this Act for medical contracts to be used  
11 for administrative activities associated with the money  
12 follows the person demonstration project.

13 17. Of the funds appropriated in this section,  
14 \$349,011 shall be used for the administration of the  
15 health insurance premium payment program, including  
16 salaries, support, maintenance, and miscellaneous  
17 purposes.

18 18. a. The department may continue to implement  
19 cost containment strategies in the fiscal year  
20 beginning July 1, 2014, that were recommended by the  
21 governor for the fiscal year beginning July 1, 2013, as  
22 specified in this Act and may adopt emergency rules for  
23 such implementation.

24 b. The department may increase the amounts  
25 allocated for salaries, support, maintenance, and  
26 miscellaneous purposes associated with the medical  
27 assistance program, as necessary, to implement the cost  
28 containment strategies. The department shall report  
29 any such increase to the legislative services agency  
30 and the department of management.

31 c. If the savings to the medical assistance program  
32 exceed the cost for the fiscal year beginning July 1  
33 2014, the department may transfer any savings generated  
34 for the fiscal year due to medical assistance program  
35 cost containment efforts to the appropriation made in  
36 this division of this Act for medical contracts or  
37 general administration to defray the increased contract  
38 costs associated with implementing such efforts.

39 d. The department shall report the implementation  
40 of any cost containment strategies under this  
41 subsection to the individuals specified in this  
42 division of this Act for submission of reports on a  
43 quarterly basis.

44 19. a. Of the funds appropriated in this section,  
45 \$900,000 shall be used to continue implementation of  
46 the children's mental health home project proposed  
47 by the department of human services and reported to  
48 the general assembly's mental health and disability  
49 services study committee in December 2011. Of this  
50 amount, up to \$50,000 may be transferred by the

1 department to the appropriation made in this division  
2 of this Act to the department for the same fiscal year  
3 for general administration to be used for associated  
4 administrative expenses and for not more than one  
5 full-time equivalent position, in addition to those  
6 authorized for the same fiscal year, to be assigned to  
7 implementing the project.

8     b. Of the funds appropriated in this section, up to  
9 \$400,000 may be transferred by the department to the  
10 appropriation made to the department in this division  
11 of this Act for the same fiscal year for general  
12 administration to support the redesign of mental  
13 health and disability services and the state balancing  
14 incentive payments program planning and implementation  
15 activities. The funds may be used for contracts or for  
16 personnel in addition to the amounts appropriated for  
17 and the positions authorized for general administration  
18 for the same fiscal year.

19     c. Of the funds appropriated in this section, up to  
20 \$3,000,000 may be transferred by the department to the  
21 appropriations made to the department in this division  
22 of this Act for the same fiscal year for general  
23 administration or medical contracts to be used to  
24 support the continued development and implementation of  
25 standardized assessment tools for persons with mental  
26 illness, an intellectual disability, a developmental  
27 disability, or a brain injury.

28     d. For the fiscal year beginning July 1, 2014, and  
29 ending June 30, 2015, the replacement generation tax  
30 revenues required to be deposited in the property tax  
31 relief fund pursuant to section 437A.8, subsection  
32 4, paragraph "d", and section 437A.15, subsection  
33 3, paragraph "f", shall instead be credited to and  
34 supplement the appropriation made in this section and  
35 used for the allocations made in this subsection.

36     20. The department shall continue to administer  
37 to the state balancing incentive payments program as  
38 specified in 2012 Iowa Acts, chapter 1133, section 14.

39     21. Of the funds appropriated in this section,  
40 \$1,000,000 shall be used for the autism support program  
41 created in chapter 225D, as enacted in this Act.

42     Sec. 94. MEDICAL CONTRACTS. There is appropriated  
43 from the general fund of the state to the department of  
44 human services for the fiscal year beginning July 1,  
45 2014, and ending June 30, 2015, the following amount,  
46 or so much thereof as is necessary, to be used for the  
47 purpose designated:

48     For medical contracts:

49 ..... \$ 4,260,375

50     1. The department of inspections and appeals

1 shall provide all state matching funds for survey and  
2 certification activities performed by the department  
3 of inspections and appeals. The department of human  
4 services is solely responsible for distributing the  
5 federal matching funds for such activities.

6 2. Of the funds appropriated in this section,  
7 \$25,000 shall be used for continuation of home and  
8 community-based services waiver quality assurance  
9 programs, including the review and streamlining of  
10 processes and policies related to oversight and quality  
11 management to meet state and federal requirements.

12 3. Of the amount appropriated in this section, up  
13 to \$100,000 may be transferred to the appropriation for  
14 general administration in this division of this Act to  
15 be used for additional full-time equivalent positions  
16 in the development of key health initiatives such as  
17 cost containment, development and oversight of managed  
18 care programs, and development of health strategies  
19 targeted toward improved quality and reduced costs in  
20 the Medicaid program.

21 4. Of the funds appropriated in this section,  
22 \$37,500 shall be used for continued implementation of a  
23 uniform cost report.

24 5. Of the funds appropriated in this section,  
25 \$500,000 shall be used for planning and development, in  
26 cooperation with the department of public health, of a  
27 phased-in program to provide a dental home for children  
28 in accordance with section 249J.14.

29 Sec. 95. STATE SUPPLEMENTARY ASSISTANCE.

30 1. There is appropriated from the general fund of  
31 the state to the department of human services for the  
32 fiscal year beginning July 1, 2014, and ending June 30,  
33 2015, the following amount, or so much thereof as is  
34 necessary, to be used for the purpose designated:

35 For the state supplementary assistance program:  
36 ..... \$ 8,256,087

37 2. The department shall increase the personal needs  
38 allowance for residents of residential care facilities  
39 by the same percentage and at the same time as federal  
40 supplemental security income and federal social  
41 security benefits are increased due to a recognized  
42 increase in the cost of living. The department may  
43 adopt emergency rules to implement this subsection.

44 3. If during the fiscal year beginning July 1,  
45 2013, the department projects that state supplementary  
46 assistance expenditures for a calendar year will not  
47 meet the federal pass-through requirement specified  
48 in Tit. XVI of the federal Social Security Act,  
49 section 1618, as codified in 42 U.S.C. { 1382g,  
50 the department may take actions including but not

1 limited to increasing the personal needs allowance  
2 for residential care facility residents and making  
3 programmatic adjustments or upward adjustments of the  
4 residential care facility or in-home health-related  
5 care reimbursement rates prescribed in this division of  
6 this Act to ensure that federal requirements are met.  
7 In addition, the department may make other programmatic  
8 and rate adjustments necessary to remain within the  
9 amount appropriated in this section while ensuring  
10 compliance with federal requirements. The department  
11 may adopt emergency rules to implement the provisions  
12 of this subsection.

13 Sec. 96. CHILDREN'S HEALTH INSURANCE PROGRAM.

14 1. There is appropriated from the general fund of  
15 the state to the department of human services for the  
16 fiscal year beginning July 1, 2014, and ending June 30,  
17 2015, the following amount, or so much thereof as is  
18 necessary, to be used for the purpose designated:

19 For maintenance of the healthy and well kids in Iowa  
20 (hawk-i) program pursuant to chapter 514I, including  
21 supplemental dental services, for receipt of federal  
22 financial participation under Tit. XXI of the federal  
23 Social Security Act, which creates the children's  
24 health insurance program:

25 ..... \$ 18,403,051

26 2. Of the funds appropriated in this section,  
27 \$70,725 is allocated for continuation of the contract  
28 for outreach with the department of public health.

29 Sec. 97. CHILD CARE ASSISTANCE. There is  
30 appropriated from the general fund of the state to  
31 the department of human services for the fiscal year  
32 beginning July 1, 2014, and ending June 30, 2015, the  
33 following amount, or so much thereof as is necessary,  
34 to be used for the purpose designated:

35 For child care programs:

36 ..... \$ 29,632,171

37 1. Of the funds appropriated in this section,  
38 \$25,704,869 shall be used for state child care  
39 assistance in accordance with section 237A.13.

40 2. Nothing in this section shall be construed or  
41 is intended as or shall imply a grant of entitlement  
42 for services to persons who are eligible for assistance  
43 due to an income level consistent with the waiting  
44 list requirements of section 237A.13. Any state  
45 obligation to provide services pursuant to this section  
46 is limited to the extent of the funds appropriated in  
47 this section.

48 3. Of the funds appropriated in this section,  
49 \$216,227 is allocated for the statewide program for  
50 child care resource and referral services under section

1 237A.26. A list of the registered and licensed child  
2 care facilities operating in the area served by a  
3 child care resource and referral service shall be made  
4 available to the families receiving state child care  
5 assistance in that area.

6 4. Of the funds appropriated in this section,  
7 \$468,487 is allocated for child care quality  
8 improvement initiatives including but not limited to  
9 the voluntary quality rating system in accordance with  
10 section 237A.30.

11 5. Of the funds appropriated in this section,  
12 \$67,589 shall be used to conduct fingerprint-based  
13 national criminal history record checks of home-based  
14 child care providers pursuant to section 237A.5,  
15 subsection 2, through the United States department of  
16 justice, federal bureau of investigation.

17 6. Of the funds appropriated in this section,  
18 \$3,175,000 shall be credited to the school ready  
19 children grants account in the early childhood Iowa  
20 fund. The moneys credited to the account pursuant  
21 to this subsection shall be distributed by the early  
22 childhood Iowa board by applying the formula for  
23 distribution of moneys from the account.

24 7. The department may use any of the funds  
25 appropriated in this section as a match to obtain  
26 federal funds for use in expanding child care  
27 assistance and related programs. For the purpose of  
28 expenditures of state and federal child care funding,  
29 funds shall be considered obligated at the time  
30 expenditures are projected or are allocated to the  
31 department's service areas. Projections shall be based  
32 on current and projected caseload growth, current and  
33 projected provider rates, staffing requirements for  
34 eligibility determination and management of program  
35 requirements including data systems management,  
36 staffing requirements for administration of the  
37 program, contractual and grant obligations and any  
38 transfers to other state agencies, and obligations for  
39 decategorization or innovation projects.

40 8. A portion of the state match for the federal  
41 child care and development block grant shall be  
42 provided as necessary to meet federal matching  
43 funds requirements through the state general fund  
44 appropriation made for child development grants and  
45 other programs for at-risk children in section 279.51.

46 9. If a uniform reduction ordered by the governor  
47 under section 8.31 or other operation of law,  
48 transfer, or federal funding reduction reduces the  
49 appropriation made in this section for the fiscal year,  
50 the percentage reduction in the amount paid out to or

1 on behalf of the families participating in the state  
2 child care assistance program shall be equal to or  
3 less than the percentage reduction made for any other  
4 purpose payable from the appropriation made in this  
5 section and the federal funding relating to it. The  
6 percentage reduction to the other allocations made in  
7 this section shall be the same as the uniform reduction  
8 ordered by the governor or the percentage change of the  
9 federal funding reduction, as applicable. If there is  
10 an unanticipated increase in federal funding provided  
11 for state child care assistance, the entire amount  
12 of the increase shall be used for state child care  
13 assistance payments. If the appropriations made for  
14 purposes of the state child care assistance program for  
15 the fiscal year are determined to be insufficient, it  
16 is the intent of the general assembly to appropriate  
17 sufficient funding for the fiscal year in order to  
18 avoid establishment of waiting list requirements.

19 10. Notwithstanding section 8.33, moneys advanced  
20 for purposes of the programs developed by early  
21 childhood Iowa areas, advanced for purposes of  
22 wraparound child care, or received from the federal  
23 appropriations made for the purposes of this section  
24 that remain unencumbered or unobligated at the close  
25 of the fiscal year shall not revert to any fund but  
26 shall remain available for expenditure for the purposes  
27 designated until the close of the succeeding fiscal  
28 year.

29 Sec. 98. JUVENILE INSTITUTIONS. There is  
30 appropriated from the general fund of the state to  
31 the department of human services for the fiscal year  
32 beginning July 1, 2014, and ending June 30, 2015, the  
33 following amounts, or so much thereof as is necessary,  
34 to be used for the purposes designated:

35 1. For operation of the Iowa juvenile home at  
36 Toledo and for salaries, support, maintenance, and  
37 miscellaneous purposes, and for not more than the  
38 following full-time equivalent positions:  
39 ..... \$ 4,429,678  
40 ..... FTEs 114.00

41 2. For operation of the state training school at  
42 Eldora and for salaries, support, maintenance, and  
43 miscellaneous purposes, and for not more than the  
44 following full-time equivalent positions:  
45 ..... \$ 5,628,485  
46 ..... FTEs 164.30

47 Of the funds appropriated in this subsection,  
48 \$45,575 shall be used for distribution to licensed  
49 classroom teachers at this and other institutions under  
50 the control of the department of human services based



1 upon the average student yearly enrollment at each  
2 institution as determined by the department.

3 3. A portion of the moneys appropriated in this  
4 section shall be used by the state training school and  
5 by the Iowa juvenile home for grants for adolescent  
6 pregnancy prevention activities at the institutions in  
7 the fiscal year beginning July 1, 2014.

8 Sec. 99. CHILD AND FAMILY SERVICES.

9 1. There is appropriated from the general fund of  
10 the state to the department of human services for the  
11 fiscal year beginning July 1, 2014, and ending June 30,  
12 2015, the following amount, or so much thereof as is  
13 necessary, to be used for the purpose designated:

14 For child and family services:

15 ..... \$ 40,637,473

16 2. Up to \$2,600,000 of the amount of federal  
17 temporary assistance for needy families block grant  
18 funding appropriated in this division of this Act for  
19 child and family services shall be made available for  
20 purposes of juvenile delinquent graduated sanction  
21 services.

22 3. The department may transfer funds appropriated  
23 in this section as necessary to pay the nonfederal  
24 costs of services reimbursed under the medical  
25 assistance program, state child care assistance  
26 program, or the family investment program which are  
27 provided to children who would otherwise receive  
28 services paid under the appropriation in this section.  
29 The department may transfer funds appropriated in this  
30 section to the appropriations made in this division  
31 of this Act for general administration and for field  
32 operations for resources necessary to implement and  
33 operate the services funded in this section.

34 4. a. Of the funds appropriated in this section,  
35 up to \$15,418,549 is allocated as the statewide  
36 expenditure target under section 232.143 for group  
37 foster care maintenance and services. If the  
38 department projects that such expenditures for the  
39 fiscal year will be less than the target amount  
40 allocated in this lettered paragraph, the department  
41 may reallocate the excess to provide additional  
42 funding for shelter care or the child welfare emergency  
43 services addressed with the allocation for shelter  
44 care.

45 b. If at any time after September 30, 2014,  
46 annualization of a service area's current expenditures  
47 indicates a service area is at risk of exceeding its  
48 group foster care expenditure target under section  
49 232.143 by more than 5 percent, the department and  
50 juvenile court services shall examine all group



1 foster care placements in that service area in order  
2 to identify those which might be appropriate for  
3 termination. In addition, any aftercare services  
4 believed to be needed for the children whose  
5 placements may be terminated shall be identified. The  
6 department and juvenile court services shall initiate  
7 action to set dispositional review hearings for the  
8 placements identified. In such a dispositional review  
9 hearing, the juvenile court shall determine whether  
10 needed aftercare services are available and whether  
11 termination of the placement is in the best interest of  
12 the child and the community.

13 5. In accordance with the provisions of section  
14 232.188, the department shall continue the child  
15 welfare and juvenile justice funding initiative during  
16 fiscal year 2014-2015. Of the funds appropriated in  
17 this section, \$858,877 is allocated specifically for  
18 expenditure for fiscal year 2014-2015 through the  
19 decategorization service funding pools and governance  
20 boards established pursuant to section 232.188.

21 6. A portion of the funds appropriated in this  
22 section may be used for emergency family assistance  
23 to provide other resources required for a family  
24 participating in a family preservation or reunification  
25 project or successor project to stay together or to be  
26 reunified.

27 7. Notwithstanding section 234.35 or any other  
28 provision of law to the contrary, state funding for  
29 shelter care and the child welfare emergency services  
30 contracting implemented to provide for or prevent the  
31 need for shelter care shall be limited to \$3,215,934.

32 8. Federal funds received by the state during  
33 the fiscal year beginning July 1, 2013, as the  
34 result of the expenditure of state funds appropriated  
35 during a previous state fiscal year for a service or  
36 activity funded under this section are appropriated  
37 to the department to be used as additional funding  
38 for services and purposes provided for under this  
39 section. Notwithstanding section 8.33, moneys  
40 received in accordance with this subsection that remain  
41 unencumbered or unobligated at the close of the fiscal  
42 year shall not revert to any fund but shall remain  
43 available for the purposes designated until the close  
44 of the succeeding fiscal year.

45 9. a. Of the funds appropriated in this section,  
46 up to \$1,031,244 is allocated for the payment of  
47 the expenses of court-ordered services provided to  
48 juveniles who are under the supervision of juvenile  
49 court services, which expenses are a charge upon the  
50 state pursuant to section 232.141, subsection 4. Of

1 the amount allocated in this lettered paragraph,  
2 up to \$778,144 shall be made available to provide  
3 school-based supervision of children adjudicated under  
4 chapter 232, of which not more than \$7,500 may be used  
5 for the purpose of training. A portion of the cost of  
6 each school-based liaison officer shall be paid by the  
7 school district or other funding source as approved by  
8 the chief juvenile court officer.

9 b. Of the funds appropriated in this section, up to  
10 \$374,493 is allocated for the payment of the expenses  
11 of court-ordered services provided to children who are  
12 under the supervision of the department, which expenses  
13 are a charge upon the state pursuant to section  
14 232.141, subsection 4.

15 c. Notwithstanding section 232.141 or any other  
16 provision of law to the contrary, the amounts allocated  
17 in this subsection shall be distributed to the  
18 judicial districts as determined by the state court  
19 administrator and to the department's service areas as  
20 determined by the administrator of the department's  
21 division of child and family services. The state court  
22 administrator and the division administrator shall make  
23 the determination of the distribution amounts on or  
24 before June 15, 2014.

25 d. Notwithstanding chapter 232 or any other  
26 provision of law to the contrary, a district or  
27 juvenile court shall not order any service which is  
28 a charge upon the state pursuant to section 232.141  
29 if there are insufficient court-ordered services  
30 funds available in the district court or departmental  
31 service area distribution amounts to pay for the  
32 service. The chief juvenile court officer and the  
33 departmental service area manager shall encourage use  
34 of the funds allocated in this subsection such that  
35 there are sufficient funds to pay for all court-related  
36 services during the entire year. The chief juvenile  
37 court officers and departmental service area managers  
38 shall attempt to anticipate potential surpluses and  
39 shortfalls in the distribution amounts and shall  
40 cooperatively request the state court administrator  
41 or division administrator to transfer funds between  
42 the judicial districts' or departmental service areas'  
43 distribution amounts as prudent.

44 e. Notwithstanding any provision of law to the  
45 contrary, a district or juvenile court shall not order  
46 a county to pay for any service provided to a juvenile  
47 pursuant to an order entered under chapter 232 which  
48 is a charge upon the state under section 232.141,  
49 subsection 4.

50 f. Of the funds allocated in this subsection, not

1 more than \$41,500 may be used by the judicial branch  
2 for administration of the requirements under this  
3 subsection.

4 g. Of the funds allocated in this subsection,  
5 \$8,500 shall be used by the department of human  
6 services to support the interstate commission for  
7 juveniles in accordance with the interstate compact for  
8 juveniles as provided in section 232.173.

9 10. Of the funds appropriated in this section,  
10 \$3,011,301 is allocated for juvenile delinquent  
11 graduated sanctions services. Any state funds saved as  
12 a result of efforts by juvenile court services to earn  
13 federal Tit. IV-E match for juvenile court services  
14 administration may be used for the juvenile delinquent  
15 graduated sanctions services.

16 11. Of the funds appropriated in this section,  
17 \$644,143 is transferred to the department of public  
18 health to be used for the child protection center  
19 grant program in accordance with section 135.118. The  
20 grant amounts under the program shall be equalized so  
21 that each center receives a uniform amount of at least  
22 \$122,500.

23 12. If the department receives federal approval  
24 to implement a waiver under Tit. IV-E of the federal  
25 Social Security Act to enable providers to serve  
26 children who remain in the children's families and  
27 communities, for purposes of eligibility under the  
28 medical assistance program, children who participate in  
29 the waiver shall be considered to be placed in foster  
30 care.

31 13. Of the funds appropriated in this section,  
32 \$1,546,188 is allocated for the preparation for adult  
33 living program pursuant to section 234.46.

34 14. Of the funds appropriated in this section,  
35 \$260,075 shall be used for juvenile drug courts.  
36 The amount allocated in this subsection shall be  
37 distributed as follows:

38 To the judicial branch for salaries to assist with  
39 the operation of juvenile drug court programs operated  
40 in the following jurisdictions:

41 a. Marshall county:		
42 .....	\$	31,354
43 b. Woodbury county:		
44 .....	\$	62,841
45 c. Polk county:		
46 .....	\$	97,946
47 d. The third judicial district:		
48 .....	\$	33,967
49 e. The eighth judicial district:		
50 .....	\$	33,967

1 15. Of the funds appropriated in this section,  
2 \$113,669 shall be used for the public purpose of  
3 continuing a grant to a nonprofit human services  
4 organization providing services to individuals and  
5 families in multiple locations in southwest Iowa and  
6 Nebraska for support of a project providing immediate,  
7 sensitive support and forensic interviews, medical  
8 exams, needs assessments, and referrals for victims of  
9 child abuse and their nonoffending family members.

10 16. Of the funds appropriated in this section,  
11 \$100,295 is allocated for the foster care youth council  
12 approach of providing a support network to children  
13 placed in foster care.

14 17. Of the funds appropriated in this section,  
15 \$101,000 is allocated for use pursuant to section  
16 235A.1 for continuation of the initiative to address  
17 child sexual abuse implemented pursuant to 2007 Iowa  
18 Acts, chapter 218, section 18, subsection 21.

19 18. Of the funds appropriated in this section,  
20 \$315,120 is allocated for the community partnership for  
21 child protection sites.

22 19. Of the funds appropriated in this section,  
23 \$185,625 is allocated for the department's minority  
24 youth and family projects under the redesign of the  
25 child welfare system.

26 20. Of the funds appropriated in this section,  
27 \$718,298 is allocated for funding of the community  
28 circle of care collaboration for children and youth in  
29 northeast Iowa.

30 21. Of the funds appropriated in this section,  
31 at least \$73,579 shall be used for the child welfare  
32 training academy.

33 22. Of the funds appropriated in this section,  
34 \$12,500 shall be used for the public purpose of  
35 continuation of a grant to a child welfare services  
36 provider headquartered in a county with a population  
37 between 205,000 and 215,000 in the latest certified  
38 federal census that provides multiple services  
39 including but not limited to a psychiatric medical  
40 institution for children, shelter, residential  
41 treatment, after school programs, school-based  
42 programming, and an Asperger's syndrome program, to  
43 be used for support services for children with autism  
44 spectrum disorder and their families.

45 23. Of the funds appropriated in this section,  
46 \$12,500 shall be used for the public purpose of  
47 continuing a grant to a hospital-based provider  
48 headquartered in a county with a population between  
49 90,000 and 95,000 in the latest certified federal  
50 census that provides multiple services including but

1 not limited to diagnostic, therapeutic, and behavioral  
2 services to individuals with autism spectrum disorder  
3 across the lifespan. The grant recipient shall utilize  
4 the funds to continue the pilot project to determine  
5 the necessary support services for children with autism  
6 spectrum disorder and their families to be included in  
7 the children's disabilities services system. The grant  
8 recipient shall submit findings and recommendations  
9 based upon the results of the pilot project to the  
10 individuals specified in this division of this Act for  
11 submission of reports by December 31, 2013.

12 24. Of the funds appropriated in this section,  
13 \$163,974 shall be used for continuation of the central  
14 Iowa system of care program grant through June 30,  
15 2015.

16 25. Of the funds appropriated in this section,  
17 \$80,000 shall be used for the public purpose of the  
18 continuation of a system of care grant implemented in  
19 Cerro Gordo and Linn counties.

20 26. Of the funds appropriated in this section,  
21 at least \$12,500 shall be used to continue and to  
22 expand the foster care respite pilot program in which  
23 postsecondary students in social work and other human  
24 services-related programs receive experience by  
25 assisting family foster care providers with respite and  
26 other support.

27 Sec. 100. ADOPTION SUBSIDY.

28 1. There is appropriated from the general fund of  
29 the state to the department of human services for the  
30 fiscal year beginning July 1, 2014, and ending June 30,  
31 2015, the following amount, or so much thereof as is  
32 necessary, to be used for the purpose designated:

33 For adoption subsidy payments and services:  
34 ..... \$ 19,578,416

35 2. The department may transfer funds appropriated  
36 in this section to the appropriation made in this  
37 division of this Act for general administration for  
38 costs paid from the appropriation relating to adoption  
39 subsidy.

40 3. Federal funds received by the state during the  
41 fiscal year beginning July 1, 2014, as the result of  
42 the expenditure of state funds during a previous state  
43 fiscal year for a service or activity funded under  
44 this section are appropriated to the department to  
45 be used as additional funding for the services and  
46 activities funded under this section. Notwithstanding  
47 section 8.33, moneys received in accordance with this  
48 subsection that remain unencumbered or unobligated at  
49 the close of the fiscal year shall not revert to any  
50 fund but shall remain available for expenditure for the

1 purposes designated until the close of the succeeding  
2 fiscal year.

3     Sec. 101. JUVENILE DETENTION HOME FUND. Moneys  
4 deposited in the juvenile detention home fund  
5 created in section 232.142 during the fiscal year  
6 beginning July 1, 2014, and ending June 30, 2015, are  
7 appropriated to the department of human services for  
8 the fiscal year beginning July 1, 2014, and ending  
9 June 30, 2015, for distribution of an amount equal  
10 to a percentage of the costs of the establishment,  
11 improvement, operation, and maintenance of county or  
12 multicounty juvenile detention homes in the fiscal  
13 year beginning July 1, 2013. Moneys appropriated for  
14 distribution in accordance with this section shall be  
15 allocated among eligible detention homes, prorated on  
16 the basis of an eligible detention home's proportion  
17 of the costs of all eligible detention homes in the  
18 fiscal year beginning July 1, 2013. The percentage  
19 figure shall be determined by the department based on  
20 the amount available for distribution for the fund.  
21 Notwithstanding section 232.142, subsection 3, the  
22 financial aid payable by the state under that provision  
23 for the fiscal year beginning July 1, 2014, shall be  
24 limited to the amount appropriated for the purposes of  
25 this section.

26     Sec. 102. FAMILY SUPPORT SUBSIDY PROGRAM.

27     1. There is appropriated from the general fund of  
28 the state to the department of human services for the  
29 fiscal year beginning July 1, 2014, and ending June 30,  
30 2015, the following amount, or so much thereof as is  
31 necessary, to be used for the purpose designated:

32     For the family support subsidy program subject  
33 to the enrollment restrictions in section 225C.37,  
34 subsection 3:

35 ..... \$           497,478

36     2. The department shall use at least \$192,750 of  
37 the moneys appropriated in this section for the family  
38 support center component of the comprehensive family  
39 support program under section 225C.47. Not more than  
40 \$12,500 of the amount allocated in this subsection  
41 shall be used for administrative costs.

42     3. If at any time during the fiscal year, the  
43 amount of funding available for the family support  
44 subsidy program is reduced from the amount initially  
45 used to establish the figure for the number of family  
46 members for whom a subsidy is to be provided at any one  
47 time during the fiscal year, notwithstanding section  
48 225C.38, subsection 2, the department shall revise the  
49 figure as necessary to conform to the amount of funding  
50 available.



1     Sec. 103.   CONNER DECREE.   There is appropriated  
2 from the general fund of the state to the department of  
3 human services for the fiscal year beginning July 1,  
4 2014, and ending June 30, 2015, the following amount,  
5 or so much thereof as is necessary, to be used for the  
6 purpose designated:

7     For building community capacity through the  
8 coordination and provision of training opportunities  
9 in accordance with the consent decree of Conner v.  
10 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):  
11 ..... \$           16,811

12     Sec. 104.   MENTAL HEALTH INSTITUTES.   There is  
13 appropriated from the general fund of the state to  
14 the department of human services for the fiscal year  
15 beginning July 1, 2014, and ending June 30, 2015, the  
16 following amounts, or so much thereof as is necessary,  
17 to be used for the purposes designated:

18     1.   For the state mental health institute at  
19 Cherokee for salaries, support, maintenance, and  
20 miscellaneous purposes, and for not more than the  
21 following full-time equivalent positions:  
22 ..... \$   2,987,529  
23 ..... FTEs       163.50

24     2.   For the state mental health institute at  
25 Clarinda for salaries, support, maintenance, and  
26 miscellaneous purposes, and for not more than the  
27 following full-time equivalent positions:  
28 ..... \$   3,386,230  
29 ..... FTEs       86.10

30     3.   For the state mental health institute at  
31 Independence for salaries, support, maintenance, and  
32 miscellaneous purposes, and for not more than the  
33 following full-time equivalent positions:  
34 ..... \$   5,169,686  
35 ..... FTEs       232.00

36     4.   For the state mental health institute at Mount  
37 Pleasant for salaries, support, maintenance, and  
38 miscellaneous purposes, and for not more than the  
39 following full-time equivalent positions:  
40 ..... \$   693,639  
41 ..... FTEs       97.92

42     Sec. 105.   STATE RESOURCE CENTERS.

43     1.   There is appropriated from the general fund of  
44 the state to the department of human services for the  
45 fiscal year beginning July 1, 2014, and ending June 30,  
46 2015, the following amounts, or so much thereof as is  
47 necessary, to be used for the purposes designated:

48     a.   For the state resource center at Glenwood for  
49 salaries, support, maintenance, and miscellaneous  
50 purposes:

1 ..... \$ 10,023,260

2     b. For the state resource center at Woodward for  
3 salaries, support, maintenance, and miscellaneous  
4 purposes:

5 ..... \$ 6,904,783

6     2. The department may continue to bill for state  
7 resource center services utilizing a scope of services  
8 approach used for private providers of ICFID services,  
9 in a manner which does not shift costs between the  
10 medical assistance program, counties, or other sources  
11 of funding for the state resource centers.

12     3. The state resource centers may expand the  
13 time-limited assessment and respite services during the  
14 fiscal year.

15     4. If the department's administration and the  
16 department of management concur with a finding by a  
17 state resource center's superintendent that projected  
18 revenues can reasonably be expected to pay the salary  
19 and support costs for a new employee position, or  
20 that such costs for adding a particular number of new  
21 positions for the fiscal year would be less than the  
22 overtime costs if new positions would not be added, the  
23 superintendent may add the new position or positions.  
24 If the vacant positions available to a resource center  
25 do not include the position classification desired to  
26 be filled, the state resource center's superintendent  
27 may reclassify any vacant position as necessary to  
28 fill the desired position. The superintendents of the  
29 state resource centers may, by mutual agreement, pool  
30 vacant positions and position classifications during  
31 the course of the fiscal year in order to assist one  
32 another in filling necessary positions.

33     5. If existing capacity limitations are reached  
34 in operating units, a waiting list is in effect  
35 for a service or a special need for which a payment  
36 source or other funding is available for the service  
37 or to address the special need, and facilities for  
38 the service or to address the special need can be  
39 provided within the available payment source or other  
40 funding, the superintendent of a state resource center  
41 may authorize opening not more than two units or  
42 other facilities and begin implementing the service  
43 or addressing the special need during fiscal year  
44 2014-2015.

45     Sec. 106. SEXUALLY VIOLENT PREDATORS.

46     1. There is appropriated from the general fund of  
47 the state to the department of human services for the  
48 fiscal year beginning July 1, 2014, and ending June 30,  
49 2015, the following amount, or so much thereof as is  
50 necessary, to be used for the purpose designated:

1 For costs associated with the commitment and  
2 treatment of sexually violent predators in the unit  
3 located at the state mental health institute at  
4 Cherokee, including costs of legal services and  
5 other associated costs, including salaries, support,  
6 maintenance, and miscellaneous purposes, and for not  
7 more than the following full-time equivalent positions:

8 .....	\$	5,458,485
9 .....	FTEs	124.50

10 2. Unless specifically prohibited by law, if the  
11 amount charged provides for recoupment of at least  
12 the entire amount of direct and indirect costs, the  
13 department of human services may contract with other  
14 states to provide care and treatment of persons placed  
15 by the other states at the unit for sexually violent  
16 predators at Cherokee. The moneys received under such  
17 a contract shall be considered to be repayment receipts  
18 and used for the purposes of the appropriation made in  
19 this section.

20 Sec. 107. FIELD OPERATIONS. There is appropriated  
21 from the general fund of the state to the department of  
22 human services for the fiscal year beginning July 1,  
23 2014, and ending June 30, 2015, the following amount,  
24 or so much thereof as is necessary, to be used for the  
25 purposes designated:

26 For field operations, including salaries, support,  
27 maintenance, and miscellaneous purposes, and for not  
28 more than the following full-time equivalent positions:

29 .....	\$	31,365,837
30 .....	FTEs	1,781.00

31 Priority in filling full-time equivalent positions  
32 shall be given to those positions related to child  
33 protection services and eligibility determination for  
34 low-income families.

35 Sec. 108. GENERAL ADMINISTRATION. There is  
36 appropriated from the general fund of the state to  
37 the department of human services for the fiscal year  
38 beginning July 1, 2014, and ending June 30, 2015, the  
39 following amount, or so much thereof as is necessary,  
40 to be used for the purpose designated:

41 For general administration, including salaries,  
42 support, maintenance, and miscellaneous purposes, and  
43 for not more than the following full-time equivalent  
44 positions:

45 .....	\$	7,650,023
46 .....	FTEs	307.00

47 1. Of the funds appropriated in this section,  
48 \$19,272 allocated for the prevention of disabilities  
49 policy council established in section 225B.3.

50 2. The department shall report at least monthly

1 to the legislative services agency concerning the  
2 department's operational and program expenditures.  
3 3. Of the funds appropriated in this section,  
4 \$25,000 shall be transferred to the Iowa finance  
5 authority to be used for administrative support of the  
6 council on homelessness established in section 16.100A  
7 and for the council to fulfill its duties in addressing  
8 and reducing homelessness in the state.

9 Sec. 109. VOLUNTEERS. There is appropriated from  
10 the general fund of the state to the department of  
11 human services for the fiscal year beginning July 1,  
12 2014, and ending June 30, 2015, the following amount,  
13 or so much thereof as is necessary, to be used for the  
14 purpose designated:

15 For development and coordination of volunteer  
16 services:

17 ..... \$ 42,330

18 Sec. 110. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
19 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED  
20 UNDER THE DEPARTMENT OF HUMAN SERVICES.

21 1. a. (1) For the fiscal year beginning July 1,  
22 2014, the total state funding amount for the nursing  
23 facility budget shall not exceed \$267,712,511.

24 (2) The department, in cooperation with nursing  
25 facility representatives, shall review projections for  
26 state funding expenditures for reimbursement of nursing  
27 facilities on a quarterly basis and the department  
28 shall determine if an adjustment to the medical  
29 assistance reimbursement rate is necessary in order to  
30 provide reimbursement within the state funding amount  
31 for the fiscal year. Notwithstanding 2001 Iowa Acts,  
32 chapter 192, section 4, subsection 2, paragraph "c",  
33 and subsection 3, paragraph "a", subparagraph (2), if  
34 the state funding expenditures for the nursing facility  
35 budget for the fiscal year is projected to exceed the  
36 amount specified in subparagraph (1), the department  
37 shall adjust the reimbursement for nursing facilities  
38 reimbursed under the case-mix reimbursement system to  
39 maintain expenditures of the nursing facility budget  
40 within the specified amount for the fiscal year.

41 (3) For the fiscal year beginning July 1, 2014,  
42 special population nursing facilities shall be  
43 reimbursed in accordance with the methodology in effect  
44 on June 30, 2014.

45 b. (1) For the fiscal year beginning July 1, 2014,  
46 the department shall continue the pharmacy dispensing  
47 fee reimbursement at \$10.02 per prescription. The  
48 actual dispensing fee shall be determined by a cost  
49 of dispensing survey performed by the department and  
50 required to be completed by all medical assistance

1 program participating pharmacies every two years  
2 beginning in FY 2014-2015.

3 (2) The department shall utilize an average  
4 acquisition cost reimbursement methodology for all  
5 drugs covered under the medical assistance program in  
6 accordance with 2012 Iowa Acts, chapter 1133, section  
7 33.

8 c. (1) For the fiscal year beginning July 1, 2014,  
9 reimbursement rates for outpatient hospital services  
10 shall remain at the rates in effect on June 30, 2014.

11 (2) For the fiscal year beginning July 1, 2014,  
12 reimbursement rates for inpatient hospital services  
13 shall remain at the rates in effect on June 30, 2014.

14 (3) For the fiscal year beginning July 1, 2014,  
15 the graduate medical education and disproportionate  
16 share hospital fund shall remain at the amount in  
17 effect on June 30, 2014, except that the portion of  
18 the fund attributable to graduate medical education  
19 shall be reduced in an amount that reflects the  
20 elimination of graduate medical education payments made  
21 to out-of-state hospitals.

22 (4) In order to ensure the efficient use of limited  
23 state funds in procuring health care services for  
24 low-income Iowans, funds appropriated in this Act for  
25 hospital services shall not be used for activities  
26 which would be excluded from a determination of  
27 reasonable costs under the federal Medicare program  
28 pursuant to 42 U.S.C. { 1395X(v)(1)(N).

29 d. For the fiscal year beginning July 1, 2014,  
30 reimbursement rates for rural health clinics, hospices,  
31 and acute mental hospitals shall be increased in  
32 accordance with increases under the federal Medicare  
33 program or as supported by their Medicare audited  
34 costs.

35 e. For the fiscal year beginning July 1, 2014,  
36 independent laboratories and rehabilitation agencies  
37 shall be reimbursed using the same methodology in  
38 effect on June 30, 2014.

39 f. For the fiscal year beginning July 1, 2014,  
40 reimbursement rates for home health agencies shall  
41 remain at the rates in effect on June 30, 2014, not to  
42 exceed a home health agency's actual allowable cost.

43 g. For the fiscal year beginning July 1, 2014,  
44 federally qualified health centers shall receive  
45 cost-based reimbursement for 100 percent of the  
46 reasonable costs for the provision of services to  
47 recipients of medical assistance.

48 h. For the fiscal year beginning July 1, 2014, the  
49 reimbursement rates for dental services shall remain at  
50 the rates in effect on June 30, 2014.

1 i. (1) For the fiscal year beginning July 1,  
2 2014, state-owned psychiatric medical institutions  
3 for children shall receive cost-based reimbursement  
4 for 100 percent of the actual and allowable costs for  
5 the provision of services to recipients of medical  
6 assistance.

7 (2) For the nonstate-owned psychiatric medical  
8 institutions for children, reimbursement rates shall be  
9 based on the reimbursement methodology developed by the  
10 department as required for federal compliance.

11 (3) As a condition of participation in the medical  
12 assistance program, enrolled providers shall accept the  
13 medical assistance reimbursement rate for any covered  
14 goods or services provided to recipients of medical  
15 assistance who are children under the custody of a  
16 psychiatric medical institution for children.

17 j. For the fiscal year beginning July 1,  
18 2014, unless otherwise specified in this Act,  
19 all noninstitutional medical assistance provider  
20 reimbursement rates shall remain at the rates in effect  
21 on June 30, 2014, except for area education agencies,  
22 local education agencies, infant and toddler services  
23 providers, and those providers whose rates are required  
24 to be determined pursuant to section 249A.20.

25 k. Notwithstanding any provision to the contrary,  
26 for the fiscal year beginning July 1, 2014, the  
27 reimbursement rate for anesthesiologists shall remain  
28 at the rate in effect on June 30, 2014.

29 l. For the fiscal year beginning July 1, 2014, the  
30 average reimbursement rate for health care providers  
31 eligible for use of the federal Medicare resource-based  
32 relative value scale reimbursement methodology under  
33 section 249A.20 shall remain at the rate in effect on  
34 June 30, 2014; however, this rate shall not exceed the  
35 maximum level authorized by the federal government.

36 m. For the fiscal year beginning July 1, 2014, the  
37 reimbursement rate for residential care facilities  
38 shall not be less than the minimum payment level as  
39 established by the federal government to meet the  
40 federally mandated maintenance of effort requirement.  
41 The flat reimbursement rate for facilities electing not  
42 to file annual cost reports shall not be less than the  
43 minimum payment level as established by the federal  
44 government to meet the federally mandated maintenance  
45 of effort requirement.

46 n. For the fiscal year beginning July 1, 2014,  
47 inpatient mental health services provided at hospitals  
48 shall remain at the rates in effect on June 30, 2014,  
49 subject to Medicaid program upper payment limit rules;  
50 community mental health centers and providers of mental



1 health services to county residents pursuant to a  
2 waiver approved under section 225C.7, subsection 3,  
3 shall be reimbursed at 100 percent of the reasonable  
4 costs for the provision of services to recipients  
5 of medical assistance; and psychiatrists shall be  
6 reimbursed at the medical assistance program fee for  
7 service rate.

8 o. For the fiscal year beginning July 1, 2014, the  
9 reimbursement rate for consumer-directed attendant care  
10 shall remain at the rates in effect on June 30, 2014.

11 p. For the fiscal year beginning July 1, 2014, the  
12 reimbursement rate for providers of family planning  
13 services that are eligible to receive a 90 percent  
14 federal match shall remain at the rates in effect on  
15 June 30, 2014.

16 q. For the fiscal year beginning July 1, 2014,  
17 the reimbursement rates for providers of home and  
18 community-based services waiver services shall remain  
19 at the rates in effect on June 30, 2014.

20 2. For the fiscal year beginning July 1, 2014, the  
21 reimbursement rate for providers reimbursed under the  
22 in-home-related care program shall not be less than the  
23 minimum payment level as established by the federal  
24 government to meet the federally mandated maintenance  
25 of effort requirement.

26 3. Unless otherwise directed in this section, when  
27 the department's reimbursement methodology for any  
28 provider reimbursed in accordance with this section  
29 includes an inflation factor, this factor shall not  
30 exceed the amount by which the consumer price index for  
31 all urban consumers increased during the calendar year  
32 ending December 31, 2002.

33 4. For the fiscal year beginning July 1, 2014,  
34 the foster family basic daily maintenance rate and  
35 the maximum adoption subsidy rate for children ages 0  
36 through 5 years shall be \$15.98, the rate for children  
37 ages 6 through 11 years shall be \$16.62, the rate for  
38 children ages 12 through 15 years shall be \$18.19,  
39 and the rate for children and young adults ages 16  
40 and older shall be \$18.43. The maximum supervised  
41 apartment living foster care reimbursement rate shall  
42 be \$25.00 per day. For youth ages 18 to 21 who have  
43 exited foster care, the preparation for adult living  
44 program maintenance rate shall be \$574.00 per month.  
45 The payment for adoption subsidy nonrecurring expenses  
46 shall be limited to \$500 and the disallowance of  
47 additional amounts for court costs and other related  
48 legal expenses implemented pursuant to 2010 Iowa Acts,  
49 chapter 1031, section 408 shall be continued.

50 5. For the fiscal year beginning July 1, 2014,

1 the maximum reimbursement rates under the supervised  
2 apartment living program and for social services  
3 providers under contract shall remain at the rates  
4 in effect on June 30, 2014, or the provider's actual  
5 and allowable cost plus inflation for each service,  
6 whichever is less. However, if a new service or  
7 service provider is added after June 30, 2014, the  
8 initial reimbursement rate for the service or provider  
9 shall be based upon a weighted average of provider  
10 rates for similar services.

11 6. For the fiscal year beginning July 1, 2014,  
12 the reimbursement rates for family-centered service  
13 providers, family foster care service providers, group  
14 foster care service providers, and the resource family  
15 recruitment and retention contractor shall remain at  
16 the rates in effect on June 30, 2014.

17 7. The group foster care reimbursement rates  
18 paid for placement of children out of state shall  
19 be calculated according to the same rate-setting  
20 principles as those used for in-state providers,  
21 unless the director of human services or the director's  
22 designee determines that appropriate care cannot be  
23 provided within the state. The payment of the daily  
24 rate shall be based on the number of days in the  
25 calendar month in which service is provided.

26 8. a. For the fiscal year beginning July 1, 2014,  
27 the reimbursement rate paid for shelter care and  
28 the child welfare emergency services implemented to  
29 provide or prevent the need for shelter care shall be  
30 established by contract.

31 b. For the fiscal year beginning July 1, 2014,  
32 the combined service and maintenance components of  
33 the reimbursement rate paid for shelter care services  
34 shall be based on the financial and statistical report  
35 submitted to the department. The maximum reimbursement  
36 rate shall be \$92.36 per day. The department shall  
37 reimburse a shelter care provider at the provider's  
38 actual and allowable unit cost, plus inflation, not to  
39 exceed the maximum reimbursement rate.

40 c. For the fiscal year beginning July 1, 2014,  
41 the amount of the statewide average of the actual and  
42 allowable rates for reimbursement of juvenile shelter  
43 care homes that is utilized for the limitation on  
44 recovery of unpaid costs shall remain at the amount in  
45 effect for this purpose in the fiscal year beginning  
46 July 1, 2013.

47 9. For the fiscal year beginning July 1, 2014,  
48 the department shall calculate reimbursement rates  
49 for intermediate care facilities for persons with  
50 intellectual disabilities at the 80th percentile.